The Outlook

Volume 90 | 5 December, 1908 | Number 14

Price Ten Cents. Three Dollars a Year

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Published by the Outlook Company, **287 Fourth Avenue, New York.** Chicago Office, Marquette Building.
The subscription price of The Outlook is Three Dollars a year, payable in advance. Ten cents a copy.
Postage is prepaid by the publishers for all subscriptions in the United States, Hawaiian Islands, Philippine Islands, Guam, Porto Rico, Tutuila (Samoa), Shanghai, Canal Zone, Cuba, Canada, and Mexico. For all countries in the Postal Union $1.56 should be added for postage.
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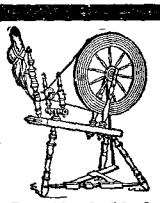

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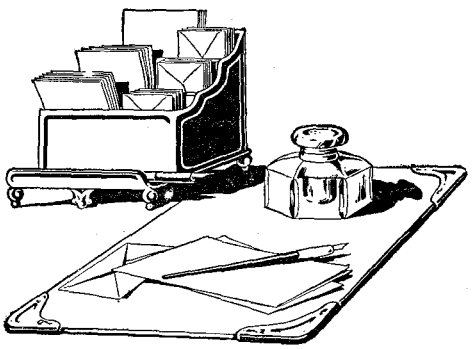

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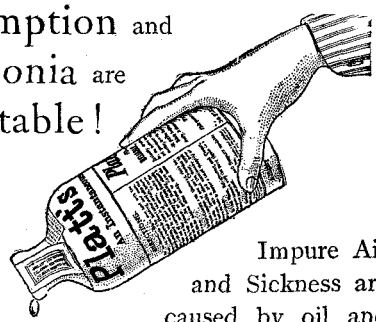

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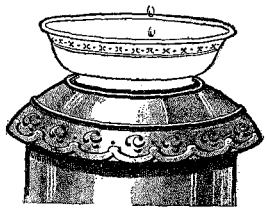

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The Outlook

5 DECEMBER, 1908

PUBLISHED BY THE OUTLOOK COMPANY, 287 FOURTH AVE., NEW YORK. CHICAGO OFFICE, MARQUETTE BLDG
LAWRENCE F ABBOTT, PRESIDENT. WILLIAM B. HOWLAND, TREASURER. KARL V S. HOWLAND, SECRETARY
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MR. CARNEGIE AND THE TARIFF

The evidence for and against a high protective tariff which is being given before the Ways and Means Committee of Congress at Washington is not likely to have any definite effect upon a new tariff bill. Evidence, to have an effect upon a jury, must systematically follow some careful hypothesis logically framed by either the prosecution or the defense. The Ways and Means Committee (if the newspaper reports may be relied upon) is following the somewhat hit-or-miss plan of hearing individuals just as they come along, whatever their opinions may be—yesterday the representatives of labor in the tin-plate industry, who want the high duty maintained; to-day an expert student of all tariffs, who discusses the effect of a tariff tax on society at large; to-morrow a spokesman in behalf of automobile importers, who claims that the tariff is fostering a pernicious automobile trust. Whether these hearings have any direct effect on legislation or not, they are accomplishing one very desirable thing, namely, the awakening of public interest on the tariff question—a question usually considered to be one of the driest and least human of practical political economy. The event of the week in the public discussion of the tariff is the appearance in the current Century Magazine of Mr. Andrew Carnegie's paper on the tariff. Mr. Carnegie has added to his other distinctions the achievement of making a statistical contribution to the tariff discussion thoroughly entertaining. He says that Adam Smith, the particular apostle of political economy to whom his faith is pinned, is not "the bigoted free-trader he is generally supposed to have been." Readers of Mr. Carnegie's article will find that he is not the bigoted protectionist he is sometimes accused of being. He assumes (we think rightly) as axiomatic that the tax imposed by the tariff is paid by the consumer, thus at the outset taking issue with the ultra-protectionists who have asserted for years that it is paid by the foreign producer. He holds that it is wise for Americans to submit to this tax for two purposes: first, to encourage new industries and to guard them during their early period of weakness; and, second, to raise a revenue for necessary expenses of government. Most American manufactures have passed the experimental stage, he believes, and therefore do not need the "protection" which once was necessary. He refers to his own industry of steel-making as an example, and asserts that the United States can successfully compete with the world in the steel industry without any protection whatever. As to the tariff for revenue, he would tax those articles which are most largely consumed by the rich or well-to-do, relieving, as far as possible, articles of general consumption, like sugar, for instance, from any tax burden. The Outlook would probably differ with Mr. Carnegie as to certain details regarding articles that may be justly taxed because they are consumed by the rich. We think it may be shown that the tax on cotton, leather, and wool manufactures, which Mr. Carnegie tolerates because, he asserts, it is paid by the rich, really adds to the burden of the poor. But nevertheless Mr. Carnegie's general proposition appears to us to be sound and very ably stated. We should so much like to see him a member of a Permanent Tariff Commission that we should be willing to have him paid the "thundering salary" asked for by one of his early associates. This associate, Mr. Carnegie says, was "one of the most original characters the steel industry has revealed, Captain Bill

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Jones. He refused partnership which entailed financial responsibilities but would have made him a millionaire, declaring that he was no business man, and had trouble enough managing the work. 'Just give me a thundering salary,' was his decision." In another place in this issue The Outlook states the general principles which it believes should underlie any real and permanent tariff reform.

THE DENVER LABOR CONVENTION

President Gompers and the policies for which he has of late stood sponsor triumphed emphatically at the recent Convention of the American Federation of Labor. This means in general terms that political action "partisan to no political party, but partisan to a principle," has become a definitive policy of the Federation. In more or less specific interpretation of this "principle" the Convention took the following significant action: It declared itself in entire accord with President Gompers "when he charges the 'Princes of Finance' and 'Captains of Industry' with their responsibility" for the existing paralysis of industry, and urged "upon all the working people of this country the imperative necessity and solemn duty to resist by all means at their command the present tendency on the part of the employers and the 'Princes of Finance' to establish in some form or other in this country political and judicial despotism." Secondly, it approved the stand which President Gompers has taken in regard to the injunction power of the courts, affirming that "business cannot be property," and therefore that "whenever the courts issue any injunctions which undertake to regulate our relations either with our employers, or those from whom we may or may not purchase commodities, such courts are trespassing upon relations which are personal relations and with which equity power has no concern." It concurred, thirdly, in the efforts which have been made by the labor chiefs to secure legislation in harmony with this declaration and in amendment of the Sherman Anti-Trust Law as interpreted in the recent Danbury Hatters case, and, further, recommended that the Executive Council of the Federation "obtain competent legal advice upon the advisability or the necessity of inserting the principles contained in the [British] Trades Dispute Act" in legislative measures now pending. Finally, it indorsed heartily the action of President Gompers in the recent campaign, and affirmed it to be the duty of executive officers of the Federation to resign if in opposition to the adopted policies of the organization. Interpreted fairly, this action, together with the discussions on the floor of the Convention, indicates that the Federation intends to urge the general principle of increasing rights and political power for the working class, and that it has committed itself specifically to an attempt, under the leadership of President Gompers, to forge the labor vote into a political club that shall be used in compelling existing parties to enact definitive working class legislation. The distinctly Socialistic character of this outcome is evident. Its significance is not to be overestimated when we consider that it has come to pass in spite of intense personal bitterness which exists between trade unionists and Socialists.

MR. GOMPERS AND THE CONVENTION

The one special feature about all this which will no doubt surprise many is the signal triumph of Mr. Gompers. This is to be explained in part by reference to the character of the men who sit as delegates in these labor conventions, but not less in this instance to the personality and great tactical ability of Mr. Gompers himself. In general it is to be said that the men who represent labor in convention constitute a peculiar body having peculiar relations. The mass of such delegates are not drawn from the rank and file of the workers. They constitute, rather, a class of professional labor leaders. This class, so far as the American Federation is concerned, has grown up under the tuition of Mr. Gompers. With the older and most influential members his relations have been closely personal. In their general contests with the common enemy he has been for a score of years their leader. In difficulties between their organizations

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he has played the part always of tactful mediator. To them he is not President Gompers, but "Sam"—the wise friend, the elder brother. To turn him out would be to them unthinkable. While there is no doubt that the majority of the delegates were at all times ready to follow Mr. Gompers's leadership and to execute his wishes, it is none the less true that the dissatisfaction caused by his apparently partisan campaign activity was reflected in the Convention. "Disgruntled" Republicans were represented by delegates of considerable prominence. The Socialist faction, always in opposition, had sent up its quota of representatives with their ordinary bitterness intensified by the events of the campaign. And in addition there was a doubtful element, composed partly of men long committed to the anti-political tradition, and partly of those who had been specially disillusioned and discouraged by Mr. Bryan's defeat. The situation was full of untoward possibilities for Mr. Gompers. The Socialists, secretly urged on by members of the disaffected faction, seized every opportunity to precipitate debate upon the political issue, and such debate never failed to become personal and acrimonious, nor to bring into sharp relief the assumed futility and positive evil to the labor cause of Mr. Gompers's activities Under these circumstances, that the forces making for disruption were successfully thwarted, and that what promised to be merely moderate success was turned into an emphatic triumph for Mr. Gompers and his policies, was due to his own remarkable ability as a tactician and to his extraordinary keenness in debate. In this case, Mr. Gompers's general tactics may be summed up in these words—preparation, conciliation, and delay. He undoubtedly accurately foresaw the situation he was to face, and, in agreement with the members of the Executive Council and influential delegates, had carefully prepared not only the general but specific lines of action to be taken at the Convention. Every player had his part and all parts fitted into a harmonious whole. Arrived at Denver, the important proceedings of the Convention were delayed from day to day while Mr. Gompers and his lieutenants used their influence in smoothing out differences and creating as far as possible a general atmosphere of harmony. At this work of reconciliation Mr. Gompers is a past-master. So well did he succeed in the present instance that, in spite of the special causes for bitterness, and in spite of acrimonious debate, a general feeling of good-fellowship and harmony seemed to pervade the Convention, so that when the time for the decisive struggle came the principle of official political unity within the Federation, the vital issue at stake, was enforced practically without debate and without show of bitterness.

POLITICAL ASPECTS

But it was, after all, in debate with the Socialists that Mr. Gompers's tactical ability and power as a leader were most effectively used. For the Socialists alone he had no word of conciliation. Their bitter attacks he returned in kind, and so skillfully did he thrust and parry that in every case he turned these attacks into the means of his own special vindication and the justification of his policies. His method was always the same. He never began the attack. He waited patiently until every battery of the enemy had been unmasked. Then at the most effective moment he seized upon one point in his opponent's argument, and with remarkable adroitness turned, or seemed to turn, it against him. And finally, with equal skill, he brought into the discussion some special plea for sympathy and support. "I am no Democrat," he said in closing his reply to an accusation of political partisanship. "If the Democratic party retreats from the position which it has taken in support of labor's just demands, I shall be the first to repudiate and oppose it. I stand for trade unionism—right or wrong." Such appeals were so adroitly introduced and so accurately gauged to meet the mood of the audience that they never failed of the intended effect. It was due in no small degree to his ability thus to place the Socialists at a great personal disadvantage, as compared with himself, that he succeeded in stemming an undercur-

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rent of criticism which might otherwise have developed into a positive force of unknown energy. The political movement which this Convention, under Mr. Gompers's guidance, has definitively inaugurated, apparently prefaces the establishment of an Independent Labor party. The political movement of the Federation is at present avowedly opportunistic, and no hint has been given officially and openly of any ulterior aim. But there were many leaders at the Convention who were willing to venture the prediction that an independent political party would be the ultimate outcome of the present policy. It is probable that Mr. Gompers recognizes at least this possibility. Like a skillful leader, however, he realizes that first there must be accomplished a gradual divorcement of trade unionists from their old political affiliations. The most formidable obstacle to the probable success of such an Independent Labor party seems to be the bitter antagonism that exists between the trade unionists and the Socialists. This antagonism is both fundamental and personal. While the present leaders on both sides are in power there is little prospect, indeed, of compromise or amalgamation. The Socialists cannot refrain from nagging, even for tactical advantages. The unionists seem to have, in this matter, little better self-control. They are all in a rut together. Even the supreme tactician, Mr. Gompers, loses perspective, becomes malignant, and thinks only of destruction when he encounters Socialist opposition. This personal hostility means the political weakness of both the Unionist and Socialist movements. While this intra-class war continues, those in authority have little to fear from either or both of them.

A EUROPEANIZED LEADER

If it be true, as reported, that Mr. Gompers has devised plans for controlling the nominations of National, State, and city conventions, by sending to the conventions of the leading parties committees of union men, who will present the names of men whom the unions want nominated, and will offer their support to whichever party will accept these nominations, it shows how utterly Mr. Gompers has failed to understand the American spirit and character. A native of Holland, he ought to have brought to this country the instincts of a man born under free institutions, with the capacity for understanding the temper and spirit of a democracy. He has, however, imported the methods of the most arbitrarily governed countries. He does not understand conditions here; otherwise he would never have made the mistake of importing and applying European methods to American problems and American workmen. The air of America does not foster the development of class spirit; and the endeavor to throw the influence of a class as a class solidly with any political party that will agree to adopt its policies is repugnant to the American spirit. Mr. Gompers seems to have learned nothing by the failure of his attempt to deliver the labor vote to the Democracy in the late Presidential election. He endeavored to persuade the workingmen of the country to vote *en masse* instead of according to their individual political convictions. He approached the situation as if he were dealing with a class of men permanently confined within class lines. He does not understand the fluidity of American society—the fact that every man expects to better his conditions; and, above all, that the whole genius of the country is opposed to class-consciousness on one side, or to the treatment of a body of men as a permanent class on the other side. He failed disastrously in the Presidential election. The labor vote could not be delivered. The workingmen of America will not surrender their political convictions for the sake of what some of their leaders declare to be their class interests. They are too thoroughly saturated with the American spirit to take up European methods of political warfare. That is not the way in which they can achieve what they want to achieve here; nor will Mr. Gompers's attempt to secure for them special privileges separated from responsibilities succeed. That enterprise is doomed by the very air of the country in which he is trying to carry it out. If, as is reported, he has predicted that within five years there will

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be no men nominated for office in Nation, State, or city who are not either union members or members pledged to carry out the suggestions of the unions, he shows most extraordinary obtuseness and inability to understand the country in which he lives and the great democratic movement which is going on around him, which has the interests of workingmen much more at heart than has this Europeanized labor leader.

THE BEREA COLLEGE CASE

What has been known as the Berea College Case has been decided by the Supreme Court of the United States. That Court affirms the judgment of the Court of Appeals of Kentucky, which in turn affirmed the judgment of a County Circuit Court of that State in fining Berea College for receiving both the white and negro races as pupils, in violation of a Kentucky statute. As Mr. Justice Brewer, who delivered the opinion of the Supreme Court, says, the only question before that Court was whether this Kentucky statute conflicts with the Federal Constitution. The State court had decided that the act did not conflict with the State Constitution, and upon that point the decision of the State court was final. The Kentucky statute makes it "unlawful for any person, corporation, or association of persons to maintain or operate any college, school, or institution where persons of the white and negro races are both received as pupils for instruction." Though Berea College was originally founded for the benefit of the white people in the mountains, its charter designated it as for all persons of good moral character; and so, after the war, when negro pupils applied for admission, they were accepted. It was not until long afterwards, namely, in 1904, that the Legislature passed the law which restricted it to the instruction of one race only. Inasmuch, however, as the general act for incorporation under the authority of which Berea College was organized reserved to the State the right to alter or repeal the charter of any association formed under the provisions of that act, the Supreme Court holds that the charter was not violated by the restrictive statute. The Court adds that though "the reserve power to alter or amend is subject to some limitations," that power was rightfully exercised in this case, since it does not "defeat or substantially impair the object of the grant." In support of this position it notes the decision of the Kentucky court that if the school had taught the two races at different times in the same place its act would not have been unlawful; and the Supreme Court makes the comment, "An amendment to the original charter, which does not destroy the power of the college to furnish education to all persons, but which simply separates them by time or place of instruction," does not constitute an impairment of the grant. The Supreme Court is careful to point out that this decision applies simply to corporations. It is true that the Kentucky Court of Appeals sustained the validity of the enactment against individuals as well as corporations, but Mr. Justice Brewer, in his decision, distinctly says that the statute is clearly separable, and that "it is unnecessary for us to consider anything more than the question of its validity as applied to corporations." In other words, the Supreme Court has not by this decision declared that a State has the right to prevent any citizen from conducting a school for the two races; all that it has decided is that the State may prevent a corporation which has the sort of charter that Berea College has from doing so. This decision has drawn upon the Supreme Court more than one severe criticism on the ground that it is a blow at democracy. It would be a menace to democracy if this decision enabled a State to forbid the education of the negro; but it does nothing of the kind. It forbids the education of the negro no more than it forbids the education of the white man. What it does do is to sustain the State, under certain circumstances at least, in forbidding the co-education of whites and blacks. Such co-education is neither a natural right nor a right guaranteed by the Constitution. Whether whites and blacks should be educated in the same school at the same time is a

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question to be decided by considerations of expediency or public welfare. It was not the business of the Supreme Court to determine whether the Kentucky statute was wise or expedient, or even whether it was just and in accordance with American ideals and traditions. Its business solely was to decide whether it was Constitutional or not; and it has, rightly we believe, decided that, in so far as it applies to such an institution as Berea College, the Kentucky law is Constitutional. Berea College was adjusting itself to the new statutes, and, so far as its welfare is concerned, it is deplorable that a judgment should be recorded against it; the real value of the institution, however, is in no wise impaired, and its plan for separate instruction for negroes will be maintained. It has made a very strong position for itself in the educational system of the country; it is the gateway for the mountain people into the world; it has a great future before it, because it is meeting a great opportunity in a great way.

A LYNCH COURT

Last week in Tennessee lynching paid to law the compliment of imitation. Three negroes who had disturbed a religious meeting in the neighborhood of Tiptonville shot and killed one special deputy sheriff and mortally wounded another who undertook to arrest them. They were finally captured by a party of citizens and put into jail. In the course of a few hours a mob had gathered. In spite of a strong appeal by a lawyer, the mob showed its determination to lynch the prisoners, but desisted from making an attack until nightfall. In the meantime two men went to a local justice of the peace, who consented to set up a court. Troops were already on the way to quell the disturbance under orders from Governor Patterson; but before they could arrive the improvised court had heard the witnesses and the jury of twelve men had brought in a verdict of guilty and fixed the penalty of death. With shouts and the shooting of firearms the mob acted as executioner, and, dragging the negroes to a tree, hanged them there. This was something more than the usual exhibition of lawlessness. We have no reason for believing that this justice or the court that he convened had any right to try a capital case. It was therefore an instance where not only the citizens of a community but an officer of the law himself acted lawlessly. The incident, however, does not lack an element of encouragement for those who are disheartened at the laxity of public opinion regarding the law in this country. The organization of this imitation court, with its judge, its jury, and its witnesses, indicated a sensitiveness to public opinion from which other mobs have been free. In going through the form of a trial this mob did what few mobs have done; it attempted to "cater to the better element." Is there not something to be learned, too, from this incident as to the need of greater efficiency in our criminal procedure? It is possible for law-abiding citizens to receive from such a lynching as this a fresh impetus in insisting upon greater expedition in our courts of law without diminishing in any respect their emphatic condemnation of the shameful proceeding itself.

LORD ROBERTS ON THE ENGLISH MILITARY SITUATION

Whatever Lord Roberts has to say on military affairs is listened to with profound respect, not only because of his great popularity, but because of the confidence in his technical knowledge and sound judgment. When he declared, therefore, in the House of Lords last week that the lack of a military force sufficient to make the attempt to invade the country impossible would in all probability cause Great Britain to lose her supremacy at sea, he made an impression on the whole country. Disclaiming all hostility to Germany, he declared that the defense of the British Islands required immediate attention; that there should be organized at once an army so strong and efficient that the most formidable foreign nation would hesitate to attempt a landing in England; that vessels capable of carrying two hundred thousand men were always available in the northern ports of Germany, and that, under the

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new German Service Law, two hundred thousand men could be collected in the districts near these ports without trouble; that the German steamship lines constantly practiced embarking and disembarking men; that the State owns the railways that would be in use, and that, up to the actual despatching of troops, all the preliminaries for invasion could be carried out with the utmost secrecy; that Germany understands the necessity, in case of an invasion, of diverting attention by small raids while the main disembarkment is in process; that the startling events in the Near East have made even the most careless observer recognize the fact that nothing can save the country which is not prepared to protect itself; that the danger is daily greater; that within a decade Germany has created the greatest sea-power that ever existed except that of Great Britain, and that that power is being increased; that eighty thousand Germans who are trained soldiers are in employment in Great Britain; and that, if Great Britain neglects ordinary precautions, as she has been doing, she may some day find herself in the hands of an invader; that it is not absolutely essential that a nation should command the sea in order to carry out an invasion; that the absence of a home army is a constant temptation to the invasion of Great Britain, and that it is the business of Great Britain to find out in what way the immense increase in Germany's sea-power is likely to affect her, and to adopt measures for her own defense. Regret was expressed that, in the present state of nervous excitability in Western Europe, these words should have been made public; but the Germans appear to have taken them very quietly; and, while England is giving them serious attention, they have caused no excitement in that country.

THE YOUNGEST ARCHBISHOP OF MODERN TIMES

Dr. Cosmo Gordon Lang, the newly appointed Archbishop of York and Primate of England, is the youngest Archbishop of modern times. He was also the youngest Bishop. When he became Bishop of Stepney he was only thirty-seven years old, and to-day he is only forty-four. He is the son of Principal Lang, of Aberdeen University, an eminent and witty dignitary of the Presbyterian Church, who has officiated both as Moderator of the Church of Scotland and as President of the Council of Presbyterian Churches. But his son Cosmo did not go to a Scottish university. Instead, he went to Oxford and entered Balliol. Together with Sir Edward Grey, the present Foreign Secretary, and Lord Curzon, late Viceroy of India, Cosmo Lang was a member of that notably brilliant set of men who, under Dr. Jowett, the head of Balliol, increased the renown of that ancient College. Cosmo Lang devoted himself to football and athletics as much as he did to his studies, and, as to the latter, was quite as much interested in politics and sociology as in Greek and Latin. He became President of the Oxford Union, perhaps the most famous debating society in the world, at the meetings of which many a plan for political and social regeneration has been hammered into shape before being proposed in Parliament. Nor were Lang's activities limited by those of the Oxford Union. Increasingly drawn to the study of social questions, he became secretary of a committee formed to promote university interest in the work done by the social settlement known as Toynbee Hall, in the East End of London. When he left Oxford, Lang had determined upon a political career as affording him the best opportunity to help his fellow-men. But his means were not sufficient to justify him in making politics his profession. Hence he naturally determined to link his passion for politics and sociology with the study of the law. He entered at the Inner Temple, London, and read law for some years. But his interest in social work grew apace. His sympathy with the suffering poor brought him frequently to the East End of London, where he not only lectured often at Toynbee Hall and at the Oxford House Settlement, but also labored in every way for the betterment of slum conditions. Despite his well known connection with this sort of work, his friends were aston-

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ished on "Call Night" at learning that his name was to be withdrawn from the list of candidates for the Bar. "Call Night" is the time when those candidates who have passed all their examinations, as had Lang, may expect to be "called" to the Bar.

QUEEN VICTORIA AND COSMO LANG

The reason for this change was seen when Cosmo Lang went to Cuddesdon Theological College to prepare himself for the ministry. After his ordination he was a curate at Leeds; then he became Vicar of St. Mary's, Oxford, the University Church. But he relinquished this congenial responsibility to accept the charge of a great church at Portsea—an outlying district of Portsmouth containing the immense naval dock yard. Most of the Vicar's parishioners were very poor. The populous parish afforded him full scope for his energy. He quickly gathered a dozen curates about him and organized an elaborate and successful machinery of social service. On one occasion Queen Victoria, it is said, called him to her palace at Osborne on the Isle of Wight, across the water from Portsea, and said, so it is reported: "I hear excellent reports of your work at Portsea, and I find that you actually keep a staff of twelve curates. You should take to yourself a wife. I believe you would be able to do with two curates less." "Ah no, your Majesty," replied the Vicar, "that would scarcely do. If I have a curate who does not suit, I can get rid of him; but I could not do the same with a wife." "True," rejoined the Queen, "but take the advice of an old woman and marry. God will give you a good wife." Dr. Lang, however, has not yet followed the Queen's advice. Seven years ago he was appointed Bishop of Stepney, one of the poorer districts of London. No appointment ever seemed more appropriate. Dr. Lang's figure was again familiar in the region of mean streets, and he gladly resumed his old association with East End work. From his house in Amen Court—a queer old bit of the City of London—there went forth an influence hardly second to that of the Bishop of London himself, that other ecclesiastic appointed primarily because of his sympathy with "the under dog." Dr. Lang will now enjoy a salary of $50,000 a year, and the splendid old palace of Bishopsthorpe. But he will carry to the Primacy of England exactly the contagious personality and altruism which have made him a success in all the stages of his life.

EDWARD CAIRD

A great light in the philosophical and theological world was removed when Edward Caird, Master of Balliol College from 1893 to 1907, died at Oxford a few weeks ago, at the age of seventy-three. He was a younger brother of John Caird, the popular preacher and distinguished Principal of Glasgow University, whom The Outlook commemorated August 13, 1898. Each of the Caird brothers, whose father was head of the Glasgow firm of Caird and Company, engineers, made a lasting impression on the religious and philosophical thought of his time. Of Edward Caird it may truly be said that hardly any of his contemporaries exerted a molding influence, intellectual and spiritual, equal to his. From the professorship of moral philosophy in Glasgow University, which he had held for twenty-seven years, he was recalled in 1893 to Oxford, where he had previously been fellow and tutor in Merton College, to succeed Benjamin Jowett, the long-to-be-remembered Master of Balliol, with whom he had a strong intellectual affinity. The next year he published his classic work, "The Evolution of Religion," whose reconciling influence upon opposing schools of thought and whose modernizing effect on intellectual conceptions of Christianity have been at least equal to those of any other writer of the time. At Balliol his lectures regularly attracted large audiences. His philosophy was idealistic, but his comprehensive idealism aimed to overcome empiricism by making room for it within itself. He regarded the Christian religion as universal and ultimate, because it gives an ideal of God and of man, together with a dynamic inspiration adequate to realize that ideal. "I regard 'Christian,'" he said, "as

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the permanent adjective by which we must define the growing ideal of humanity." His health failing, he resigned his office about eighteen months ago. At the memorial service held in Glasgow University Professor George Adam Smith said that Edward Caird was one of the greatest citizens Glasgow ever had. He had inaugurated new methods of social work, and supplied lasting inspiration for them. His criticisms had been effective in widening the mind and quickening the conscience of the churches. "It is many years," says a Scottish writer in the London Christian World, "since the theological and academic life of this country has been so moved as by the passing of Edward Caird."

DR. VAN DYKE AT THE SORBONNE

The interchange of professors between this country and Germany, France, and America has probably become a permanent feature of academic life; it is certainly one of the most interesting and is likely to prove one of the most valuable forms of national intercommunication. President Hadley has recently returned from Berlin, President Butler from Copenhagen, and at this moment lectures are being delivered at several universities in this country by eminent foreign scholars. The course of lectures at the Sorbonne, Paris, inaugurated four years ago by Professor Barrett Wendell, who was followed by Professors George Santayana, Archibald Cary Coolidge, and M. G. P. Baker, all of Harvard University, is now being delivered by Dr. Henry van Dyke, beginning on Tuesday of last week and continuing until about the 15th of March. Dr. van Dyke has chosen as his subject "The Spirit of America: and Some of its Expressions in Literature, Education, and Social Effort." Among the titles of the individual lectures are "The Soul of a People," "Fair Play and Democracy," "Common Order and Social Co-operation," and to these are added a large number of lectures on individual authors, beginning with Irving and ending with the American poets of the day. The lectures open under the best auspices, and are likely to prove unusually effective; for Dr. van Dyke knows his subject thoroughly and is a representative American, the only kind of an American who ought ever to represent the country abroad. He is also a clear and forcible writer and a clear and effective speaker. The speaking quality is a very important matter in the selection of these lecturers; addressing, as they do, a large number of people who know English only at second hand, it is very important that they should have the speaking gifts; that they should understand, not only how to write, but how to vocalize their thought. The French Premier and other Cabinet Ministers, the Dean of the Faculty of Letters of the University of Paris, and prominent literary men like Paul Bourget, Frédéric Masson, and other members of the French Academy have given Dr. van Dyke a cordial welcome; and both in Paris and at the provincial universities, where he will also speak, Dr. van Dyke will prove a singularly effective interpreter of the American spirit and its various manifestations in political institutions, industry, and art to intelligent Frenchmen.

A MUSICAL INTERPRETER OF POETRY

Songs without words is a title which might too often be applied with justice to compositions as they reach the hearers from the lips of concert singers. When a singer comes to whom the poetry of a song is as important and as worthy of reverent treatment as the music, he is deserving of a royal welcome. Such a welcome has been given to a great German Liedersinger who has just made his first appearance in America. Dr. Ludwig Wüllner has given two recitals in New York and has appeared once there with the Volpe Symphony Orchestra. The reception accorded to his singing was like the enthusiasm which has greeted Paderewski at his recitals. Dr. Wüllner has a voice of poor quality and employs little of the accepted art of singing; but he has a remarkable personality and a remarkable power of interpretation. When he first appears upon the stage, tall, massive, ungraceful, face roughly carved and deeply lined, hair thick and bushy,

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and stands with head on breast and eyes closed, the thought comes that here is a poseur or—but the alternative positively asserts itself before he has finished a single song—he is an actor. He is a dramatic interpreter of poetry—the poetry of thought and words and the poetry of music. Another man with his voice would seem ill equipped as a singer of songs, but Dr. Wüllner's equipment of intellectual power, of emotional insight, and of dramatic expression is so great as to make the voice seem a subordinate accessory. He sings only in German and only the German lieder, which are so full of action, of feeling, and of beauty. His art is versatile. In a single programme he moves from the simple pathos of "Der Leiermann" by Wilhelm Müller and Franz Schubert to the dramatic narrative of Löwe's "Archibald Douglas," the whimsical wooings of the serenades by Hugo Wolf, "Ein Ständchen Euch zu Bringen," "Wenn du zu den Blumen gehst," and "Auf dem Gruenen Balkon," the contagious humor of Wolf's and Goethe's "Epiphanias," and the corrosive irony of "Ein Weib" by Heine and Sinding. When he is singing he is the actor, his own personality merged in the part that he is playing. But when he is caught in an informal moment, giving a word to his accompanist, waiting for the belated distribution of programmes, or receiving the acclamations of his hearers, the impression he gives is one of charm, of simplicity, of the untranslatable *Gemüthlichkeit*. Dr. Wüllner's reputation in his native land is established. He is to give another recital in New York on December 18, and to make a tour of other cities during the winter. The opportunity to hear him should be welcomed by lovers of poetry, of dramatic interpretation, and of the German folk-songs. It should be noted that he is fortunate in having the co-operation of an accompanist of exceptional ability, Mr. Coenraad von Bos.

FOOTBALL With the game between the United States Military Academy at West Point and the United States Naval Academy at Annapolis, which was played at Philadelphia last Saturday and won by the Army, the football season of 1908 came to an end. The crimson H is waved so rarely in triumph over the blue Y that this year will be remembered as a red-letter year in a double sense, particularly as Harvard's football victory follows its victories over Yale in baseball and rowing last spring. By an odd coincidence, Harvard defeated Yale and Amherst defeated Williams on the same day by the same score—4 to 0—and by the same play—a field goal kicked in the first half. Yale exhibited a spirit of sportsmanship that cannot be wholly intelligible to those who regard secret practice as unsportsmanlike; for Yale not only invited the Harvard team to practice on the Yale field before the game, but posted Yale pickets to insure secrecy for the Harvard practice. The Yale-Harvard game called forth a letter from the President, who is a Harvard man, to Ver Wiebe, the fullback, who, after carrying the ball far into Yale's territory, was withdrawn to allow Kennard, a better kicker, to take his place and send the ball over the cross-bar. The President sees in the incident an example of the way "the good of the individual must be subordinated for the good of the people." The team of Chicago University, the strongest of the Middle West, played a tie game with Cornell, which in turn was defeated on Thanksgiving Day by the University of Pennsylvania. Among the many universities and colleges no general champion is possible. Indeed, newspaper talk about championships—after the fashion of professional baseball—does not interest the ordinary undergraduate. What he is eager for is the defeat of some ancient rival; and it must be remembered that in college life antiquity is measured by generations of four years. If victory over Yale had been achieved by Princeton this year, it would have been more than ample compensation for the defeat by Dartmouth. Each college has its dearest foe; and it is the contest with that foe that rouses such enthusiasm as has been exhibited time and again this year. Never was football more obviously alive. When thousands travel a hundred miles or

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more, as thousands have traveled to and from Princeton, New Haven, and Philadelphia this year, prepared to sit in wind, rain, and snow, they are not watching that game's dissolution. It is estimated that the number who watched the Harvard-Yale game was equaled by the number of those who sought in vain for seats. This was the third season of the so-called "new football." Before certain rules went into effect in 1906 the game had grown to be a contest between men hurling themselves in two masses, the one against the other. Because as a trial of skill it was uninteresting except for the expert, and because it appeared to be exceptionally dangerous, there arose much popular criticism of the game. The real objection to this sort of football, however, was that it magnified the value of weight and muscle, and that it enabled the mean or brutal player to do his "dirty work" under cover. Now the game has been "opened." There is always a chance for accidents in any rough sport, and football cannot be made anything but a rough sport. The new rules have not appreciably reduced the number of injuries to football players, but they have done what is far more important: they have made the game a better game. They have, in the first place, put the smaller college more nearly on a level of equality with the larger university, for, by enhancing skill, they have enabled lighter men to be of more value than the merely brawny heavyweight. In the second place, the new rules have made the game a more interesting spectacle. They have, in the third place, removed from the clean and sportsmanlike player the disadvantage under which he labored, by making the alignment of players such as to give the officials a chance to see the character of every man's play. Now a man does not need to infringe the rules, either carelessly or deliberately, in order to become exceptionally effective. Though The Outlook is in hearty sympathy with the movement to bring athletics into perspective, it believes that football is a wholesome sport for boys whose physical development and condition enable them to stand its rigors; and that, moreover, it is a capital school for the training of character. There is a certain lesson in self-restraint, in courage, in quickness of judgment, and in democracy that can be learned in football as in scarcely any other way. When Burr, the Harvard Captain, renounced the not inconsiderable honor of playing in the Yale game because he was convinced that another man would be better in his place; when one Harvard player whose father left many millions to the University measures his strength and skill against his fellow whose father and mother have a little confectionery shop in East Cambridge; when a man stands behind his own goal-line facing an onslaught by burly opponents, and coolly lifts the ball out of harm's way; when a man knows that he must ignore the painful wrench because his team mates are relying on him to advance the ball, he is putting into action ideals which he could never have learned from textbooks.

THE PITTSBURGH SURVEY

The joint annual meeting of the American Civic Association and the National Municipal League at Pittsburgh was notable for the first public presentation of the findings of the inquiry (made under the Russell Sage Foundation) into living conditions in the great industrial district at the headwaters of the Ohio. The Pittsburgh Survey, as it is called, may be a dramatic starting-point for an era of improvement in the treatment of iron and coal working labor. Dazed at the horror of the waste of life and loss of efficiency shown in the plain words of Robert W. De Forest, and further detailed by Paul U. Kellogg, Robert A. Woods, and Grosvenor Atterbury, Pittsburgh at first seemed ready to resent the indictment. But the reaction of sound sense, and the knowledge that the conditions shown in the comprehensive exhibit upon the walls of the Carnegie Institute were not peculiar to Pittsburgh, have served to rouse the vigor of a people whose commercial advance has been a world marvel. The Mayor has appointed as the head of a commission to propose means for immediately ameliorating the scandalous housing and working conditions shown, the ex-presi-

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dent of the Pittsburgh Chamber of Commerce, Mr. H. D. W. English, who first called attention to the appalling waste of life and labor that is proceeding. The exhibit remains on view at Carnegie Institute, and it is hoped that it may be passed on to other cities needing little less than the iron metropolis its stern reminder that man is his brother's keeper, and that waste of life is waste of work and of money as well. The attention called to the Survey through its presentation in conjunction with the meeting of the two great civic bodies points again to their practical usefulness. The dominating note of the meetings of the American Civic Association was one of concrete advance toward national efficiency and country-wide beauty of living conditions. The somewhat crowded programme dealt not only with things done, but with constructive plans for things needing to be done. Little time was spent in objurgating billboards and smoke, for instance, but admirable propositions for controlling both were in evidence, in able papers from actual workers. The policy of this practical organization to discuss with those in seeming default the matters objected to was notably shown in the presentation of an extremely lucid address by the Pennsylvania Railroad's General Superintendent of Motive Power upon "The Pennsylvania Railroad and the Smoke Nuisance." The yet existing danger to Niagara Falls was set forth from a new standpoint by Dr. J. W. Spencer, a Canadian geologist, while the report made by Major Charles Keller, of the Lake Survey, of the work done to improve conditions in the Niagara gorge under the Taft Landscape Commission (appointed in pursuance of representations to the Secretary of War by the American Civic Association) served to warrant the telegraphing to President Roosevelt of an urgent message seeking his influence toward the re-enactment of the Burton law, which expires next June.

THE MUNICIPALITY AND THE LIQUOR TRAFFIC

The National Municipal League at its meeting gave to the question of the control of the liquor traffic an extended and thoughtful consideration at the hands of men well qualified by study, observation, and experience to discuss it. The difficulties which attend attempts to solve this problem were suggested by Professor Augustus Raymond Hatton, of the Western Reserve University, in presenting the proposition: "The positive conviction with which the champions of the two extremes advocate their theories leaves little room for the finding of the scientific investigator; for if his conclusion should lean toward the suppression of the traffic, he is declared to be a Puritan, and hostile to individual liberty. Should he incline toward a less rigorous policy, he is a creator of the rum power and an enemy of mankind." The Secretary of the League, Clinton Rogers Woodruff, in his annual résumé of municipal developments, in touching upon this question, showed how from every part of the country comes news of municipal interest in, and more stringent regulation of, the sale of alcoholic liquors. In Indiana and Ohio it has been an absorbing issue. It continues to be a factor in Minneapolis. From Walla Walla in the far West comes the message, typical of many another far and mid-Western community, that the influence of the saloon in local politics has been decidedly diminished. In Alabama it has been demonstrated to the satisfaction of many intelligent critics that prohibition has decreased the consumption of liquor to a very considerable extent and decreased crime to a very great extent. In fact, in the smaller towns of the State it is asserted upon competent authority that the closing of the saloons has meant the closing of the police courts, and many city prisons in Alabama have had no prisoners for months. In his review Mr. Woodruff declared, after reciting many instances, that these, though unrelated and not correlated in many respects, had a deep and underlying connection in that they were the surface manifestations of a swiftly moving current or tendency in American municipal life. Some idea of the extent of the municipal problem was shown by a series of statistics showing how the municipal receipts had increased from

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$16.10 per capita in 1902 to $17.98 in 1907. The increase in the cost of schools has been from $3.69 per capita to $4.39 in the same period of five years. The per capita debt in 1907 was $60.54, which represents an increase of about 23 per cent over the $49.16 per capita debt of 1902. When one compares this enormous municipal indebtedness with the Federal indebtedness of $11.46 per capita, borne by all the people of the United States, the financial problem of the cities becomes very evident. The address of the President of the League, Attorney-General Bonaparte, on "The Criminal Law as a Means to Enforce the People's Will," is printed elsewhere in this issue.

A DISTURBING REPORT

The report that the Giant's Causeway is in danger of the same sort of spoliation which has already mutilated the cliffs of the Palisades will bring sorrow to a great many thousand Americans; for the Giant's Causeway, like Fingal's Cave, is securely intrenched in the minds of American school children as one of the standard illustrations of the old-fashioned geography. Probably the readers of The Outlook are so familiar with the appearance of both these striking natural phenomena that, as they read these words, the Causeway and the Cave are distinctly before them. Sailing past the Causeway in the late afternoon, with the sunset light on it, or seeing it through those drifting mists which are common on the North Irish coast, or lying at anchor off Fingal's Cave, is very like returning to one's school days. A British syndicate, according to report, has bought the Giant's Causeway and proposes to grind it into road material, the basalt of which it is composed being regarded as better than that which comes from the provinces of the Rhine. It seems a long way from the automobile to the Giant's Causeway, and yet it is probably the wear and tear of automobiling on the roads which has led to the plan of grinding up the Giant's Causeway. Operations are said already to have begun near Port Rush. But one saving element in the situation is the fact that there is a great mass of available basalt, aside from the Causeway. Unfortunately, gentlemen in search of material for road-building do not always bring with them Wordsworth's love of nature or Ruskin's sense of artistic values. It will comfort a great many people if our friends across the sea will protect the Causeway from the spoiler's hand; and we should be glad to do something in its behalf ourselves if we had not already so many forests, rivers, and mountains to preserve from destruction.

PROTECTION FOR WHAT?

Mr. Cannon is, with apparent authority, reported as saying that the tariff must be revised by a compromise between conflicting interests. If by this he means—as the newspaper accounts of the investigation by the Ways and Means Committee indicate the Committee means—that Congress is to ask how small a tariff will suit the manufacturers and how large a tariff will be endured by the consumer, and then strike a balance between the two, The Outlook emphatically dissents from his opinion. This is precisely the way not to revise the tariff. It is the way to re-enforce the arguments of the opponents of the Protective system.

What are we to protect? and why?

The American people are engaged in working out a great experiment—the experiment of popular government. Our labor problem is an endeavor to make an industrial order conform to our political, educational, and religious institutions; that is, to make it democratic. By that we mean—to adopt Abraham Lincoln's definition of democracy—industry of the people, by the people, and for the people. We have transformed the slave laborers of half the Nation into freemen. We are now engaged in a half-conscious endeavor to transform the wage-earners of the whole Nation into partners in a free co-operative industry. That is not Socialism, for Socialism is not free; it is not individualism, for individualism is not co-operative.

To do this for a nation is an enormously difficult undertaking. To do it for the world is an impossible undertaking. The real object of Protection is to protect the American people from foreign

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competition while they are making their own industries co-operative. It is an industrial Monroe Doctrine. It is not protection of infant industries; our industries are no longer infantile. It is not protection of special interests at the cost of the general public; this would be perilously near legalized robbery. Its object is not, what it was in Alexander Hamilton's time, to promote diversified industry; our industry is already diversified. It is to separate ourselves industrially from the rest of the world enough, and only enough, to enable us to work out without interference our problem of industrial democracy. Protection makes of the people of the United States—employers and employed—one vast labor union, and adopts for it a modified form of the closed shop.

Last week, on the day before Thanksgiving, thousands of the unemployed marched through the streets of London carrying a large banner bearing the words: "Work or Revolution; the Government Must Decide." If these unemployed are admitted to our country, we must raise them to the level of self-respecting workers, or lower that level. If they are employed at starvation wages in England, and their product is admitted to our country to compete with American-made goods, we still have to raise them to that level, or lower our own. Protection says: We will work out our problem of transforming industry from a competition which is industrial war to a co-operation which is industrial partnership for ourselves, before we attempt to work it out for the rest of the industrial world.

It is clear, or ought to be clear, what is required to make effective the protection of America from foreign competition while it transforms its industrial system from one of competition to one of co-operation.

1. It requires a careful supervision and regulation of immigration. No doubt the exclusion of Asiatic laborers from the Pacific Coast retards its agricultural development and inconveniences its homes in sore need of domestics. No doubt the contract labor law does something to check the rapid development of Eastern mines and mills and more to make their output expensive. But if the Pacific Coast employer may import the Asiatic coolie to till his vineyards, and if the Eastern manufacturer may import the Hungarian and the Pole to underbid the American workingman, we shall not succeed in raising the condition of the foreign laborers, and we shall succeed in lowering the condition of our own. This is the argument for our anti-Asiatic laws and our contract labor laws. We are engaged not merely in making shoes and raising fruit; we are engaged in raising men and in making an industrial commonwealth, and we sacrifice the minor to the major end we have in view.

2. It requires such a tariff on foreign goods as will prevent them from competing with American goods by underselling them at lower prices. If the tariff is not enough to compel the foreign maker to charge at least as much for his product as the American charges for his, the tariff is inadequate. If it is more than enough to exclude the foreign product from competition with the domestic, it is unnecessary. If American watches, American typewriters, American steel rails, are habitually sold abroad for less than they are sold at home, the tariff is not protecting America while she works out her industrial problem; it is protecting a favored interest at the expense of the people, and is making the industrial problem more difficult of solution. For if poverty produced by ruinous competition enhances the difficulty of that problem, no less is it enhanced by swollen fortunes begotten of monopoly. The problem of Congress ought not to be to see how much the consumer will endure and how little the producer will be content to take; it ought to be to ascertain by careful inquiry, neither of manufacturer nor consumer, but of official reports, consular and other, what tariff is adequate to protect the Nation from foreign competition without promoting domestic monopoly.

3. In working out this problem we are bound by every consideration both of National honor and of National prudence to include as part of our problem all people under the American flag. We have no right to adopt a tariff which

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favors the North at the expense of the South, or the white race at the expense of the negro race, or the people of the United States at the expense of the Filipinos. We must either include our dependencies in our attempt to create our Industrial Democracy, or we must withdraw from them our protection and release them from their allegiance. So long as the Philippines are under the American flag, we should surround them with the same protection to industry with which we surround ourselves and give to them the industrial opportunities which we enjoy. The same principle of justice which made the framers of our Constitution prohibit the Federal Government from putting any trade barrier between the States should prevent us from putting any trade barrier between the United States and her dependencies. The Constitution does not apply; the principle of justice and fair dealing does.

For the last seven years the issue between special interests and the American people has centered about the attempt in the interest of Industrial Democracy to control the great corporations commonly called trusts. It now looks as though during at least the next year it would center about a controversy between protection for special interests and protection for Industrial Democracy. In the prospective discussion The Outlook will be guided by the following fundamental principles, which it commends for their guidance to the consideration of its readers.

The object of Protection is, or ought to be, to protect not infant industries but the American people, to promote not special interests but Industrial Democracy. Any tariff which allows foreign products to compel reduction of American wages to the foreign level is inadequate; any tariff which allows American goods to be habitually sold abroad for less price than at home is unnecessary and unjust. Regulation of foreign immigration is a necessary supplement to the tariff because an essential element in the protection of America from ruinous competition—ruinous to her endeavor to establish an American Industrial Democracy. A Protective tariff between America and any of her dependencies is inconsistent with the principle of Protection, with the spirit though not with the letter of the Constitution, and with essential justice and fair dealing.

COST OF CAMPAIGNS

The election of a President costs money. The parties cannot put their arguments before the people without incurring expense. A campaign fund is an absolute necessity so long as we have campaigns. The abuse of such funds in the past, the willingness of many political leaders to spend money for purposes that are corrupt and corrupting, the opportunities that a campaign affords for men of wealth to gain an undemocratic power over parties, should not mislead the decent citizen into the notion that a campaign fund is of itself wrong or dangerous. Since money is needed for campaign purposes, it must be secured. Inasmuch as the Government does not finance the campaign, private individuals or associations of individuals must do so. Last year the President suggested in a message to Congress the possibility of a Congressional appropriation "for the proper and legitimate expenses of each of the great National parties." In lieu of such an appropriation there must be private contributions.

Both the Democratic and the Republican parties, as well as at least one of the minor parties, have published a list of campaign contributors. The total amount collected and disbursed by the Republican party at its New York and Chicago headquarters was, in round numbers, one million thirty-five thousand dollars. In addition it received from and distributed to its State committees over six hundred thousand dollars. The Democratic campaign fund amounted to six hundred and twenty thousand dollars as accounted for by the Treasurer of the Democratic National Committee. On the face of the report the number of contributors to the Democratic fund was double that of the number of the contributors of the Republican fund; it is to be remembered, however, that the statement of receipts from organizations does not include the names of the indi-

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viduals who made contributions through those organizations. Roughly, however, it may be said that the Republican party received a much larger amount than the Democratic party and from a much smaller number of contributors. This was not unexpected. The Democratic party made a special appeal for small contributions, and that appeal was widely circulated throughout the United States not only by the Democratic press but by newspapers of almost every shade of opinion. That the number of contributors to a campaign fund is not indicative of the popularity of a party's doctrine is proved by the enormous plurality in the popular vote which was won by the party with the smaller number of contributors.

The publication of the names of the chief contributors to these funds has been received with many jeers and innuendoes. When a respectable newspaper insinuates that because a Cabinet officer has given money to a party treasury he has paid a price for his position, it is hard to maintain one's conviction that publicity of campaign contributions is both right and wise. Every citizen ought to be free to contribute to a party campaign fund whatever he wishes and can afford. The size of a man's contribution has absolutely nothing to do with the question whether that contribution is legitimate or not.

More important than the publication of contributions is the publication of expenditures. According to the New York law under the jurisdiction of which the Republican National Committee voluntarily placed itself, an itemized statement of the expenditures of the campaign fund must be filed at the State Capitol. There it can be scrutinized and subjected to criticism. The mere fact that such a statement must be filed operates as a restraining force. The use of money in a campaign is not a private function; it is a matter of public concern; and in matters of public concern there is no disinfectant more powerful than publicity. It works, moreover, not merely to drive out corruption, but also to reassure the public mind. In Appleton's Magazine for November Mr. Harold Bolce contributes an enlightening article on "The Legitimate Use of Campaign Funds." He points out, for instance, that to get a single letter or sealed document to every American voter costs, for postage alone, the large sum of three hundred thousand dollars. That amounts to almost one-half of the entire Democratic campaign fund this year. Stationery, printing, traveling expenses, public speakers, advertising, are all legitimate means for carrying on a political campaign, and all are costly. If the filing of a public statement makes clear to the people that the money used in a campaign has been spent for such purposes as these, and well spent, it will be one of the most simple means ever used for maintaining the faith of the people in their own form of government. After this year the American people can never go back to the era in which they heard of "blocks of five" and "shaking the plum tree." The Taft-Bryan campaign will be remembered for the impulse which it gave to the wholesome principle of publicity.

THE ILLUSION OF THE OBSCURE

Faith in immortality is not a massive bridge spanning the dark stream on immovable arches, but a line of stepping-stones disappearing into the mist and darkness, over which each man finds his way alone. The thoughts that go deepest into the nature of things are often of a wonderful simplicity, as are the natures of men and women whose spirits have greatness of range. The sunsets that are like a sudden opening of windows in heaven are compounded of light and mist; the joys of life rise out of every-day relationships, and the highest wisdom is the possession of those whose hearts are the hearts of children. The complex imposes upon us by the difficulties it seems to present to our intelligence. Obscure things bring a certain authority which rests on our ignorance, and we fall easy victims to the spell of the occult and mysterious. To clothe a commonplace in pretentious language is to secure a following, and is an old device of those to whom prophecy is a trade rather than a calling.

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There are always those whose eyes are holden so that they cannot see the beauty and holiness that wait in any place where men live, but must go to the ends of the earth in a vain search for that which stands at their doors. Sir Launfal leaves the Christ at his gates when he goes on the long and idle quest, and finds his Master only when he has learned that the divine is always close at hand. The illusion of the remote, complex, and obscure is the thinnest of veils to those who have once seen life face to face and passed through the process to the reality.

A PRACTICAL STEP TOWARDS CHURCH UNITY

The recent action of the General Conference of the Congregational Churches of Connecticut in appointing a Committee on Church Unity, in response to the overture in the Encyclical Letter of the recent Lambeth Conference of the Bishops of the Anglican Communion, serves to call attention to the fact that the Anglican Bishops have made a notable contribution to the future reunion of the churches. It is a cautious but significant step in the same line as previous overtures towards other churches, but in advance of any previous utterances. In three respects it is seen, when studied, to be marked by a progressive significance. For one thing, in a spirit which at once commends it to other Christian communions, it lifts up the ideal of a comprehensive Church. It declares that a greater unity is "necessary for the effective conduct of the war against the mighty forces of evil in Christian lands." The Bishops set before us the Church of Christ as "enriched with all those elements of divine truth which the separated communities of Christians now emphasize severally, strengthened by the interaction of all the gifts and graces which our divisions now hold asunder. We dare not, in the name of peace, barter away those precious things of which we have been made stewards. Neither can we wish others to be unfaithful to trusts which they hold no less sacred. We must fix our eyes on the Church of the future, which is to be adorned with all the precious things, both theirs and ours. We must constantly desire not compromise but comprehension, not uniformity but unity." This declaration from the highest ecclesiastical authorities is radically different in spirit and attitude from the extraordinary "so-called Christian" petition commented upon by The Outlook last week. Then the Bishops' Encyclical Letter contains the practical suggestion that, among other ways of preparation for such a consummation, "private meetings of ministers and laymen of different Christian bodies for common study, discussion, and prayer should be frequently held in convenient centers." And for this purpose this resolution was adopted: "The constituted authorities of the various Churches of the Anglican Communion should, as opportunity offers, arrange conferences with representatives of other Christian Churches, and meetings for common acknowledgment of the sins of division, and for intercession for the growth of unity."

A third note of advance is struck in the suggestion of the Committee on Reunion that "such arrangements might be framed as would respect the convictions of those who had long and faithfully fulfilled their ministry in Presbyterian orders, without any surrender on our part of the essential principle, laid down in the Preface to our Ordinal, that those who are to minister the Word and Sacraments in the Churches of the Anglican Communion must have been episcopally ordained." This suggestion is still further emphasized by the following words of another resolution adopted by the Bishops: "It might be possible to make an approach to reunion on the basis of consecrations to the episcopate suggested by such precedents as those of 1610." The significance of this utterance lies in this fact, that, in the precedents referred to, three Scottish Presbyterians who had received titular sees from King James were consecrated in England as bishops "per saltum;" that is, without having first been episcopally ordained as deacons or priests. It is of course to be understood that the reference to these precedents relates to the

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single question of the validation of their orders, and is not to be confused with the political measures of the Crown to force Episcopacy upon the Presbyterians of Scotland. The point of the reference lies in the position then taken by the Archbishop of Canterbury concerning the question whether in the cases cited such previous episcopal reordination should be required: "Thereof there was no necessity, seeing that when bishops could not be had, the ordination given by presbyters must be esteemed lawful." The whole report of the Committee of the Anglican Bishops on home reunion, and the letter and resolution relating to it of the Bishops, which The Outlook has here summarized, is worthy of general Christian consideration.

If this notable utterance of the Anglican Bishops reflects the conviction and feeling of the Episcopal Church in this country and is welcomed by other Christian churches in the same spirit in which it is conceived, and such conferences as it invites are carried on in view of the same high ideal of the Church which it exalts, and with an urgent sense of the demand for greater unity for the sake of greater Christian effectiveness, the desired day of "Christian Reunion and Intercommunion" may not seem so far distant.

THE SPECTATOR

The Spectator confesses to having been surprised last summer at discovering that even in kings' houses "all is not gold that glitters." In the homes of potentates he had always believed that, so far as money could provide it, everything was sincere. His experience, however, has robbed his belief of its bloom and brought his feet to earth. After visiting a number of palaces, he is obliged to reach the conclusion that not all European monarchs read Ruskin, or subscribe to the American women's magazines. It was a sunny afternoon in June when "23 illustrious Americans," as the card of invitation read, stepped from their carriages before the *palazzo real* at Naples and presented themselves for the inspection of the massive major domo in mediæval maskery who kept the portal. The credentials and the bearers proving acceptable to the gorgeously garbed guardian, the gates were swung open and the "23" passed in. The party filed around a rectangular court roofed by the blue Neapolitan sky and entered the old home of the Kings of the Two Sicilies, unoccupied except by a company of retainers who kept it against a visit of the King of United Italy. Through chamber after chamber the Spectator's party trailed, looking upon the rich upholstery of the apartments devoted to social use, and groups of more or less interesting paintings. One of these apartments was evidently of more than ordinary importance. Glancing up, the Spectator was astonished at finding that the decorator had attempted to give it the effect of great majesty by painting a dome on a flat ceiling. The incongruity was heightened by the fictitious classical columns, supposed to be supporting the dome, delineated on the curved surface which joined the walls and ceiling. The painted shadows intended to give verisimilitude were true from only one spot, and as fixed as if frozen on the ceiling.

In course of time the "23" came to the ball-room with its shining floor.

"What a beautiful hardwood floor!" exclaimed the Spectator.

"It is a stone floor cleverly painted to look like wood," said the custodian.

Finally the company reached the grand staircase, and descended in slow and stately fashion as befitted those who were treading where the feet of royalty and the great were wont to tread. What was the Spectator's amazement, when he cast his eyes upon the row of statues on pedestals lining the stately stairway, to discover that some of them were merely plaster casts!

Six weeks later the Spectator was in Berlin. The opportunity presented itself to visit the palace of the Hohenzollerns at the end of Berlin's famous promenade. Joining the large group which had assembled with this intention, he, in common with the others, slipped his leather-incased feet into the giant felt sandals provided for the purpose of pre-

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serving the inviolability of the polished surfaces of the floors. Shuffling along as noiselessly as ghosts, the troop of visitors passed through several apartments. Shades of Ruskin! Were those draperies on the walls real, or molded by hand in the plaster and colored to look like real? They were imitations!

Emphasis, however, is laid in the Emperor's abode upon things that are real gold, as the Spectator found when he entered the throne-room. Piled high upon a richly carved and chased structure at the end of the salon opposite the dais were the great gold plates and ewers and flagons and bowls used on the Emperor's table on state occasions. Each piece was so placed as to display its design and workmanship, the whole collection filling a wide panel ten or twelve feet high. A great mirror revealed the reverse side of the tableware. The guide went to a corner of the salon, opened a panel door in the wall, threw an electric switch, and the richly fashioned ransom of a ruler glittered in the illumination thrown up from a score of skillfully secreted lights in a most theatric manner. After a few explanatory remarks in German by the guide, the panel door was once more opened, the current economically turned off, and the party shuffled across the shining floor toward the pair of chairs set for the royal couple at the opposite end of the apartment. The Spectator did not attempt to learn from the women who fingered and commented upon them the quality of the hangings about the room.

"You should see the crown jewels and relics while you are here," said a friend to the Spectator in Vienna. "They are the finest in Europe." Following this advice, the Spectator, one glorious day in July, found himself entering the Burgplatz just in time to witness the ceremony of the review of the guard. Crossing over to the right, he reached the entrance to the suite of half a dozen small rooms containing, probably, the most superb collection of crown jewels and sacred relics in the world. The necessary *kronen* having been deposited with the doorkeeper of the royal treasury, the Spectator passed in. He was surprised to find that there was no ostentatious display of protective measures. No curling iron bars as thick as one's wrist defied and piqued the possible burglar. No one pointed out a score, more or less, of time locks on steel doors guarding the millions in property displayed, the loss of any article of which would have been recorded in history. There were none to point out. The glass cases containing the exhibit were hardly more protected than a candy case in a confectioner's shop. The guards were limited in number to four or five men in the uniforms of soldiers, stationed in the different rooms. Their eyes were the only restless portions of their anatomies. In an inner room were the insignia of Napoleon as King of Italy. Here the Spectator once more discovered that all is not gold that glitters in kings' houses. The crown which the "Little Corporal" placed on his head at Milan, May 26, 1805, was ornamented with mother-of-pearl and colored glass. The scepter, the symbol of his sway over the land of Italy, was only gilt bronze. His marshal's baton was of no costlier material.

Kings and potentates are quite as human as their fellow-men, the Spectator realized more forcibly after discovering these little discrepancies. They were imperfect like himself. Possibly Napoleon's showy insignia of royalty were the best he could obtain at short notice, and served the purpose fully as well as imitations do upon less important dramatic stages. Perhaps the display of Emperor William's golden tableware had other motives than the barbaric one of making an impression of his power and wealth. Monarchs are not above this motive, however. The Spectator discovered in reading the little official guide to the royal treasury of the House of Hapsburg at Vienna that the exhibition had been arranged with the object of demonstrating the "power and wealth of the reigning family." Whatever the reasons for the insincerities and the breaches in taste, beneath the trappings the Spectator saw the figures of men and women.

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PUBLIC OPINION

THE SOUTHERN STREET DUEL

The civilized world should not judge the South too harshly in the matter of the killing of ex-Senator Carmack on the streets of Nashville, Tennessee. The mildness of Southern editorial comment is not greatly surprising under all the circumstances. Of course the Nashville Tennessean was somewhat excited over the loss of its brilliant editor and denounced the affair as a cowardly murder, a cold-blooded assassination, the result of a carefully planned conspiracy. And the Columbia State, having unfortunately suffered a similar bereavement, was rather caustic in its criticism. Most of our papers, however, have been careful to refer to the sad occurrence as an unavoidable incident, a much-to-be-regretted homicide, and some have expressed the pious hope that a contentious spirit is at last at rest. It would not do to speak of the Coopers as "murderers," as they are gentlemen of prominence and good family.

Our traditions must be considered in any matter involving merely the taking of a human life. We of the South long adhered to the code duello after other English-speaking peoples had given it up as a relic of barbarism. When our sacred honor was deemed to have been impugned, there was no alternative except to become what uncharitable people might call a murderer, or a suicide, or both. The stain on one's honor could only be wiped out by blood, and it made no particular difference whether it was the blood of the offender or the offended. In either event honor was satisfied. But the decadence of aristocratic feelings in the South and the administration of the law by the judges and jurors, who were not always gentlemen themselves, made dueling unpopular. It made it dangerous for the survivor of the conflict, since the law was vulgar enough to call the duelist who had killed his adversary a murderer. So a Richmond editor finally mustered up courage enough to send a challenge he had received to the Police Department, with the result that the challenger was arrested; and a Kentucky General refused to fight a duel because his youthful challenger spelled it "d-u-i-l." The duel could not survive ridicule.

So the street duel was evolved to take the place of the institution that had served its day. It has its code also. The antagonists must be, first of all, men of prominence. There must exist between two men of prominence what is denominated as "bad blood." This does not mean that both may not be of good blood; but that there must exist a state of mind between the two which demands on the part of one or the other that the good blood of the other or the one should be spilled. Probably, if the victor in the subsequent strife had been on a jury, and the victims been before him on trial for the particular offense which led to the killing, the jury would have been unanimous in the verdict that the offense was not worthy of the extreme penalty of the law. But when it becomes a "personal matter," then the "personal difficulty" which results is the concern of those persons alone, or, at most, of near members of their families. The ethics of the street duel demand also that the aggrieved party shall send a sort of challenge in the form of a threat to kill the other at sight. In the absence of a specific threat there must be a rumor of a threat to kill. This justifies either party in opening fire upon the other at the first opportunity. These formalities being complied with, there may be other legal formalities, such as the arrest and trial of the survivor, with some trouble and expense to him, of course. But he always goes scot free.

The street duel has its advantages over the old-fashioned duel of ante-bellum days. Only brave men could play the old game. The risk was as equal as possible. But the street duel logically gives the aggrieved party the prime advantage of the choice of weapons, the choice of a place for the meeting, and a general state of preparedness. It is the easiest way imaginable to rid one's self of an enemy and the world of an obnoxious person.

Take the case of Editor Gonzales, of the Columbia State. There was "bad blood" between him and Lieutenant-Governor Tillman. Both were prominent. Mr. Gonzales was offensive in his reference to Mr. Tillman. It may have been that it was a public duty to rebuke Mr. Tillman for some things. It was known of all men that Mr. Gonzales's brilliant pen was used unselfishly and courageously for righteous ends. It was as true of him as of any man that ever lived that he was "the enemy of the last abuse and the advocate of the next reform." It is a fact that he deemed it cowardly to carry a pistol, and had often denounced the "pistol-toting" habit. But, you see, there was "bad blood" between Mr. Tillman and Mr. Gonzales. And it was easily proved at the subsequent trial that Mr. Gonzales had made threats against Mr. Tillman. It is easy to prove

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almost anything that a dead man may have said. One day Mr. Gonzales left his office and walked up the street, and Mr. Tillman and some friends of his walked down the street, and as Mr. Gonzales was about to pass, Mr. Tillman shot him. It happened that Mr. Gonzales, in accordance with his principles, was unarmed. But it was proved that Mr. Tillman thought that Mr. Gonzales was about to put his hand to his hip pocket, so he was triumphantly acquitted of murder by a jury of his fellow-countrymen.

In the case of Editor Carmack there was more danger to the aggrieved person, since it was known that Mr. Carmack would shoot if he thought it necessary. In the days before dueling was abolished he had accepted a challenge, and only a ruse of the friends of the other man prevented the meeting. So it was necessary here to make sure that the aggrieved person should not be the victim. It was made doubly sure—two against one. It seems that it was a political necessity to remove Mr. Carmack, anyway.

The only criticism which we feel constrained to make concerning the ethics of the street duel, as generally conducted, is the danger to the innocent bystanders, which has already been noted. Men have frequently been killed who had no earthly interest in the contention of the principals. In the case of Senator Carmack, an innocent woman was brought into the matter in a way most repugnant to all our ideas of Southern gallantry. This was most unfortunate. If possible, the streets should be cleared at least of women before the duel takes place. It will be hard to obviate this difficulty, however, without giving the offending party, who has claimed the right of free speech or a free pen for himself, almost the same advantage, through due notice, that the old-fashioned code duello gave him. For the virtue of the modern street duel is that it naturally gives all the advantages to the man whose honor has been impugned and who is desirous of taking the life of his critic.

Of course nothing will be done to the Coopers. They are prominent and of good family. It is, fortunately for the relics of our aristocracy, still an impossibility to hang a man of good family in the South for killing another man. It will be impossible to get a jury in Tennessee that does not represent in part the political faction with which Colonel Cooper is allied, and it will be simple loyalty for such jurymen to vote acquittal. The formalities have been complied with according to the strictest street duello code. Other legal formalities will have to be complied with. But there is not a lawyer in the South who believes that either one of the Coopers will be punished. In the South the voice of a brother's blood crieth unto God—from the streets—in vain.

A SOUTHERNER.

Atlanta, Georgia.

AN INTERESTING SUGGESTION

Early in March, 1909, President Roosevelt will start for his scientific hunting in Africa. On this trip it is generally understood, though not definitely announced, that Mr. Roosevelt will visit some of the European countries, where he will undoubtedly be received with peculiar consideration. Of course Mr. Roosevelt will go as a private citizen. But in spite of his private character his visits are almost sure to have international influence, and all Americans, both his friends and enemies, know that Mr. Roosevelt will use his great personal influence to promote the friendly relations between the United States and any foreign country he may choose to visit.

It seems to the writer that the American people might easily add to the beneficent results of the President's journey, and that it would be well to do so. And, moreover, in bidding our distinguished explorer and traveler Godspeed by some National act we should do no more than extend the graceful courtesy merited by one who has not only achieved a great official career of American political life, but throughout has given honest and effective service. Consider how a large business firm or one of the great educational institutions would treat the departure of one who had served it in a similar way!

Without reciting the numerous claims Mr. Roosevelt has to generous consideration on the part of his countrymen, but because he will go an ex-President of the Republic, and because the citizens of this country cannot but feel a lively interest in the reception by other Governments of one on whom they have bestowed the highest honors within their gift, the writer wishes to suggest the propriety of Congress placing a United States war-ship at the disposal of the President for the purposes of his trip.

There is more than one precedent for the proposed action, so there need be no talk of innovation.

For the President himself such a means of transportation would certainly prove of the greatest convenience, although his comfort and convenience are not the objects sought in the proposal. On the other hand, the fine courtesy would seem extremely fitting to millions of people who, considering how other countries provide for those who have

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held high office, feel that our own country too unceremoniously pushes aside its former Chief Magistrate when once the inauguration of his successor has deprived him of his official station.

The economically-minded will at once refer to the cost. I will forestall that objection. It would cost nothing. The cruiser that might be selected for the purpose will be sent somewhere in the spring for maneuvers and practice, and the proposed trip could be utilized for that object with little or no extra cost.

Should this suggestion meet with the approval of the people and of the press, and Congress thus be induced to act favorably upon it, such action should take place early in the session, that the President's plans, which are now forming, may be shaped accordingly. T. L. C.

Philadelphia, Pennsylvania.

WOMAN SUFFRAGE

A letter in The Outlook of October 3 protests against the indifference of women as an argument for denying suffrage to them. The argument of indifference is very often presented, and the strongest advocates of woman suffrage grant that such indifference does exist. For this indifference may there not be some reason that lies in the very nature of woman?

A study of men's indifference to political questions may help toward a reply. The indifference of the men who do not vote—"four hundred thousand [?] men who do not vote in Boston"—is due to various causes. One class of men, however, are, in the nature of the case, largely indifferent to active participation in politics. This is the artist class, including sculptors, painters, singers, poets, and, in a measure, writers of prose. These last, and even poets—more rarely architects, sculptors, painters, and musicians—are sometimes deeply interested in affairs of state and are openly influential in molding them; but usually not at a time when they are absorbed in creative work along their own lines. Out of the noisy politics of his time Dorothy Wordsworth led her brother, and we have one of the noblest of English poets; and when the Restoration sent Milton into obscurity, we gained thereby "Paradise Lost." Goethe, a world-genius, spent his life at a court, but it was a court pervaded by literary and artistic aspirations. The sculptor, painter, singer—these are in large numbers cosmopolites by necessity. They serve humanity so nobly in their arts that we gladly excuse them from political responsibilities and cares.

Now, is it not barely possible that woman, especially with advancing civilization, belongs, in her person and office, to the art class? that this explains her indifference, in that she has another place and service?

There are some things in favor of such a theory. In her person she is required to be beautiful—an artistic requirement—and she is expected to enhance this beauty by every device of attire. There is no such requirement on men. Strength rather than beauty is required of them; and their most magnificent costuming connects itself with affairs of Church and State. A woman quite apart from these may deck herself with priceless jewels, with costly silks and laces—a belle of society. But all this pertains to the outer life of woman. In her office she is the mother of the race. As the artist with infinite pains develops the idea, so does the true mother with infinite pains develop the germ of life of which she is the custodian, in order that she may make it fit to go forth among men and to serve its purpose.

It is true that more and more women will take up new interests and will develop in numerous pursuits even as men develop, but the mother will continue to be the norm of the female sex, and to whatever cause this fact makes her indifferent that cause will have a great, if not insurmountable, obstacle in the way.

Among a primitive people motherhood is well-nigh an animal fact pure and simple; but, as civilization advances, motherhood must rise into an art high and holy. The Christian religion seems to suggest something of this kind in that Christ was born of a woman. Whatever may be our religious attitude toward her, the Madonna still stands as the type of motherhood. Women who have achieved maternity as an art, women who in flesh have failed of it, yet have divined it through the genius of love, aided perhaps by the pursuit of some creative art, or even by the artistic impulse expressed in the lowliest forms of work—these classes are not likely to be drawn into the agitations of pronounced reforms, but rather will they prefer to contribute in silent and subtle ways toward human progress. Such women must often seem indifferent to popular causes, but their indifference is akin to that of the risen Lazarus, as described by Browning:

> "The man is apathetic, you deduce?
> Contrariwise, he loves both young and old,
> Able and weak, affects the very brutes
> And birds—how say I? flowers of the field—
> As a wise workman recognizes tools
> In a master's workshop, loving what they make."

Indifference of such a character is not to be hastily condemned. May it not be the

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obverse of an intense interest in the abiding and essential things of womanhood?

Lebanon, Illinois. I. A. W.

PRESIDENTIAL CANDIDATES AND ORATORY

In the late Presidential campaign many lessons were taught which, as a people or as patriotic citizens, we can neither ignore nor treat with indifference without injury to ourselves. The exhaustive manner in which you presented the vital issues and their advocacy pro and con must have proved a daily history to thousands, and invaluable to all who perused them with an open mind, seeking for the truth. I, for one at least, desire by this message to thank you for keeping the broad, clear vision of The Outlook so constantly before us until the struggle ended.

One lesson of the campaign, however, which seems to me of very grave importance, and on which I have looked for your comment in vain, is the ever-growing evil of a personal canvass by the chief candidates. When the States were few and young and no electric wire could flash the messages to the center and boundaries of the country, this might have been desirable.

Now, with eighty million people, more or less, covering a mighty continent, it is physically impossible for the strongest Presidential candidate to make a personal appeal to more than the merest fraction of this number. Why then not make it impossible for them to attempt it at all, either by a written or unwritten law, or by a solemn agreement between the several parties in the field?

The office of President of the United States is the greatest in the world to-day, and the aspirants for it should, by their acts, show that the dignity of that position is realized by them.

It is pitiable to think that a Presidential candidate should go round the country trying to make votes by consciously or unconsciously misrepresenting his opponent's position, principles, platform, record, and motives.

I can understand that Mr. Bryan set the pernicious example of a personal canvass on account of his oratorical powers and his presumed ability to move men by their influence. Mr. Taft probably entered into the canvass through the force of circumstances and against his own will and judgment, and I am heartily glad that he came through the ordeal alive and "well but tried." I think that no man should be called upon or permitted to perform such a stupendous service, and more especially a candidate for President.

I had no fear for Mr. Bryan because he is used to talking, but every morning after Mr. Taft commenced to speak I scanned the papers to see if he were all right, and when the end came and he went home to vote, I think that my feeling of relief was as great as his. Neither he nor any other Presidential candidate ought to be subjected to such a superhuman strain!

The remedy I would suggest is simple. Let each party candidate publish, as soon as possible after nomination, a full manifesto of his principles and purposes, the same to be promulgated by the several National, State, and county committees, with the first of which the candidates would keep in touch.

The field would then be left open for the spellbinders of every State and county to amplify the manifestoes of their chiefs and satisfy such voters as feel the need of personal appeals or rhetorical pyrotechnics to convince them as to their duty as citizens.

J. H. SIMPSON.

San Diego, California.

SEDITION IN INDIA

In view of the realistic description of the disturbing and disturbed conditions in India given in the latest letter published in The Outlook "from an Indian Bungalow," the following extract from a native Indian newspaper, the Indian Mirror, will be of especial interest:

"There is not a single part of India where meetings have not been, or are not being, held to condemn the outbreaks of sedition and anarchism, and to express the people's unshaken loyalty to the British Government. In addition to these meetings, manifestoes have been issued by Maharajahs, Rajahs, Zemindars, and various public bodies, not only expressing their loyalty to the Government, but also appealing to the masses of the population to adhere firmly to the side of law and order. All these show, beyond the shadow of a doubt, that the best men of the country—men of education, wealth, and influence—as well as the vast mass of the population—harbor but the purest feelings towards the Government. It is becoming more and more apparent every day that the disciples of the school of anarchism—the men who are openly or secretly fomenting sedition and racial hatred—constitute but an infinitesimal minority of the population. That the vast mass of the people, zemindars and raiyats, literate and illiterate, stand on the side of order and peace, cannot be doubted by any one who is able to feel rightly the pulse of the nation. It is also to be noticed that even some of those who at one time leaned towards the party of violence are gradually ranging them-

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selves on the side of law and order, having been disabused of the false notions which they once entertained.

"The healthy reaction which has set in, in the popular feeling, is to be attributed partly to the eminently statesmanlike policy which is being followed by the present Government of India, and partly to the fact that the people now see more clearly than ever that nowhere is the purity of justice so jealously and scrupulously maintained as under British rule. There may be miscarriages of justice, now and again, but the British law is certainly not to blame for them. British justice, on the whole, occupies an unimpeachable position."

The Indian Witness, an English paper of Calcutta, comments upon this native utterance in these wise words, implying confidence in the sincerity of the editorial:

"The student of world affairs, in reading of words or deeds, good or bad, loyal or disloyal, of men in India, must bear in mind that they are uttered or performed by those who are in and of a country reckoned not yet so far advanced in the qualities that make for stability of free institutions as to be safely, for their own sake, intrusted with a determining power in these matters, yet who are advancing toward their political majority. The bad, therefore, is not as bad as it would be in the more mature, and the good has also the weakness of the conditions under which it finds expression. Possibly, therefore, there are those who are expressing loyalty just now who are doing so because they consider it the wise thing to do. Yet there are many who are both intelligent and conscientious in their declarations of appreciation of what the British Government has done for India and of loyalty to that Government."

An all-around view of matters is often reassuring to many people who are connected by ties of different sorts with India and who wish to know the facts as they appear to men who are living in the midst of these history-making days in the Far East.

E. L. N.

ONE WAY TO BREAK THE SOLID SOUTH

The numerous references to "the solid South" and "the solid North" made by many speakers and writers, as illustrated on the first page of The Outlook for November 14, suggest one or two interesting questions. Mr. Bryce, the British Ambassador in Washington, has written of the advisability of dividing the electoral college of each State among the several candidates for the Presidency in proportion to the popular vote of that State. Chief Justice Walter Clark, of North Carolina, in lecturing at the University of Pennsylvania on Constitutional Law, openly advocated this arrangement. His lectures were given wide publicity through the columns of the Independent. I have heard hundreds of individuals express hearty approval of the plan, while none expressed disapproval. The dividing up of the electoral college of each State in this way would certainly produce four results that are greatly to be desired; at least unanimous consent to the plan would seem to indicate it.

1. It would carry the National Presidential campaign into every State in the Union. The Republican National Committee would send speakers into every State with the reasonable hope of securing one or more additional electoral votes, and the Democrats would do the same. For many years the campaign has been practically limited to a half-dozen States, more or less, and the campaign just closed has been no exception. A Presidential campaign carried on in every State as it has been waged in New York, Ohio, and Indiana this year would be of great educational value for the American people.

2. The Presidential candidates of the two great parties would each, at every election, receive one or more electoral votes from each State in the Union. The division of the electoral college in proportion to the popular vote in each State would have given Mr. Taft one or more electoral votes even from such States as Mississippi and South Carolina, while Mr. Bryan would have shared the votes of such extreme States as New Hampshire, Vermont, Michigan, and Iowa. North Carolina would have delivered to Mr. Taft five of her twelve votes, and Virginia, Tennessee, and Kentucky would have shared with him in about the same proportion.

3. All talk about "the solid South" and "the solid North" would stop forever, as no such thing as either would exist.

4. "Pivotal States" would be put out of commission and would not be heard from again. Beginning with the year 1860, every President and every Vice-President, excepting four elected as Vice-President, have been residents of some one of four States, to wit, New York, Ohio, Indiana, and Illinois. This objectionable condition of affairs seems likely to continue indefinitely in the future. The other forty-two States of the Union are not in the business of furnishing Presidents and Vice-Presidents. Every one knows, however, that the forty-two States combined,

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with a population three times as great as that of the four States, have at all times a larger number of men qualified for the two high offices than the four States have. In fact, very small States often produce wiser statesmen than those of great States. This was true in the days of Solon and of Solomon; it is true to-day.

If these four much desired results would be brought about by the change suggested (we would like to know in what way such a division of the electoral colleges could fail to produce them), why is it that our National Congress does not take measures at once to make the division of the electoral college of each State in proportion to the popular vote of the State compulsory? Is not the present unit system of delivering the electoral college of a State merely a political scheme devised by the pure politician for strictly partisan ends? Why does The Outlook not advocate such a division openly and persistently as being for the best interests of the whole American people, and stop talking about "the solid South" and "the solid North"? Can our statesmen find a worthier cause to champion, so far as political conditions are concerned, than the bringing about of these four results, when it can be done in so simple a manner?

THOMAS W. LINGLE.

Davidson College,
Davidson, North Carolina.

WORDS THAT HISS

(See the Spectator in The Outlook for November 21)

Most respected Spectator:

I have read just now your record of the trials of your "wife or daughter;" and while I sympathize with her, I also feel that the innocent foreign painter was not wholly to blame for not understanding her. You cannot "hiss 'Green'!" I have just tried it, and my daughters tried it, "with desperate distinctness," only to say with wide-eyed surprise, "Why, father, it can't be done!" "No, children, you are right; it needs an 's,' a 'z,' or a 'c' for hissing purposes, as in *mice, scissors, azimuths*." Your daughter's (wife's) mistake was not without example; the heroines of even so careful novelists as Crawford have their heroines *hiss traitor*, though the word doesn't sound hissy at all. I might feel diffident about calling your attention to your wife's (daughter's) mistake but for your plaintive appeal for "something, anything" to help. And while I have you under my pen I cannot resist the temptation to excoriate (capital hiss word!) you for making a glorious error in your essay a few months ago on misquotations. Why did you put James Russell Lowell in the Adirondacks and make him use Mount Marcy to illustrate his little story of the stage-driver and the mountain and Bunker Hill monument? Turn to the "Fireside Studies" and you will find that the driver impaled him on the other horn of the dilemma as they were jogging along through Franconia Notch under the frowning shadow of The Profile. "Hoist with your own petard!" dear Spectator. Believe me, I am very fond of you, though—much more so, I think, since I caught you napping.

No room to sign my name, you see.

Beverly, Massachusetts.

SHALL WE SEGREGATE STATE INSTITUTIONS?

There are certain men, women, and children who, through infirmities, either bodily or mental, due to disease, exposure, or to congenital influences, and without friends or means of support, become public charges. There is also a great class who, through their wrong-doing, must be removed from society for its safety and as a punishment for their misdeeds. This great mass of humanity has from time to time been housed in institutions by the State, frequently in out-of-the way and inaccessible places; usually, however, at no great distance from some large center. As these people are either a charge upon or a menace to the public, their care has devolved upon the State, and it is only humane and just that they should be properly housed and fed. Is it, however, necessary that they be placed in palaces in the most desirable sites of a community? We all know from childhood that when we heard the names Sing Sing, Bloomingdale, Matteawan, Clinton, and Auburn, or Ward's Island and Blackwell's Island, our minds conjured up nothing else but a place taking on the character of such of its inhabitants as are there through an enforced sojourn on account of infirmities, physical, mental, or moral. For example, of the two cities, Tarrytown and Sing Sing, the latter probably occupies the finer site; but the prison, with its hundreds of inmates, has been a blot upon the fair name of the town.

All these institutions were established several generations ago, at a time when their sites were more or less inaccessible and the real estate in the neighborhood had little or no value; but there has been an enormous advance in land values within the past twenty to forty years, an advance which promises to become still greater, and the desirability of many sites at present of little or no value is bound to become greatly enhanced. Therefore, if any changes are to be made in the location of our public institutions, there are

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several important considerations to be regarded. A matter of the greatest importance is that most of these institutions be concentrated into one great colony. If they require separate post-offices, let the one be known as the Charity Post-Office and the other as the Correction Post-Office; these, however, should be placed, not on the banks of the finest river and near the greatest population in any center in America, but on some of the land distant from this center of population.

There are a number of such stretches of land in New York State, in Orange and Sullivan and some of the more remote parts of Ulster and Schoharie Counties, where a tract of some 10,000 or 20,000 acres could be bought for a merely nominal sum. Even if such a tract should cost from $500,000 to $1,000,000, it would prove a good investment for the State itself. Upon this land every one of the inmates of the institutions in eastern New York could gradually be trained in some occupation.

By grouping the institutions into three or four divisions, the main offices could be close to each other, and a single railway station might suffice for all. A railway running through the length of the domain could place the coal, food, and other objects at various points. The great advantage of this would be that the legislative committee of leading citizens appointed by the Regents of the State of New York or the Regents themselves would co-operate with the legislative body in inspecting the institutions, so that any just causes of complaint could be properly investigated and adequate remedies proposed and enforced.

It is the purpose of our Society[1] to preserve scenic sites, and, as conservation is the order of the hour, it is necessary to conserve the beauties of our land as well as the forests and the mines. With such a tract of land it would be possible to obtain good water and all the wood that will ever be needed, as well as the building stone.

During the past year we have thwarted the scheme of placing a house of correction for young men within two miles of Vassar College, an institution where girls have always had absolute freedom to wander unprotected in every direction. Now we have before us the possibility of Sing Sing Prison being removed to the vicinity of Hessian Pond—one of the most beautiful and historic places in the Hudson Valley. It is claimed that this is an out-of-the-way place. This is not so, and within ten years it will be a very frequented region. Furthermore, to carry out this plan would be to do a positive injury to one of our foremost citizens, who, on many occasions and without hesitation, has rendered and sustained and encouraged the rendering of public services. Less than a decade ago some steamers were at quarantine. It was suspected that they had yellow fever aboard, and they were not permitted to enter port. On these steamers were some of our most prominent people. One of them suggested that Fire Island be bought for a quarantine, so that the unfortunate passengers could be permitted to go on shore and have comfortable lodging. No one knew of any way to secure this island without action on the part of the State Legislature, and it looked as if there must be weeks and months of delay. When the citizen to whom I have alluded heard of this, he bought the island at a cost of $55,000 and presented it to the State.

About eight years ago the magnificent Palisades, the pride of the Hudson River, were being blasted at many places. It was necessary that something be done, and done quickly. Neither the Legislature of New Jersey nor that of New York would act. It required but a presentation of the facts by Mr. George W. Perkins to induce the same citizen to draw his check for $132,000, the amount required to stop the blasting, and the Palisades were thus saved from further destruction. Then only was it that the State Legislatures came to the rescue and made it possible to preserve the beauties of the lower Hudson for all time. And yet it is now proposed to place Sing Sing Prison within about a mile and a half of Mr. J. Pierpont Morgan's home—the home of the man who has been so great a champion in saving the Hudson's beauties.

How many years will it take for Ossining (as it has been renamed, on much the same principle as were unlucky or "haunted" ships of old) to recover from the blight of a State prison having been placed there? Why should people who are a public charge or a public menace receive the finest that we can give—a privilege for which they are not at all grateful—when by so doing the adjoining land becomes distinctly depreciated in value on account of their proximity? This course has no other effect than to lower the worth of taxable property to such an extent that the loss becomes greater than the cost of the institution; and this, I think we can all agree, is entirely unreasonable, and inflicts unmerited loss not only upon individuals, but eventually on the State itself.

New York City. G. F. KUNZ.

[1] The paper of which this is an abridgment was read before the last annual meeting of the American Scenic Preservation Society.

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THE GERMAN CRISIS

OBSERVATIONS OF AN EYE-WITNESS

BY KUNO FRANCKE

PROFESSOR OF THE HISTORY OF GERMAN CULTURE AT HARVARD UNIVERSITY

I BELONG to those who see the hope of Germany in a strong, non-partisan, monarchical government, who believe that only the monarchy is able to reconcile the conflicting interests of German party strife as well as to maintain successfully Germany's position as a world power. I have therefore followed with deep agitation the events of the last few weeks; for that these events will profoundly and lastingly affect the future part of the monarchy in German political life there can hardly be a doubt.

When the disastrous interview appeared in the Daily Telegraph, I was in Paris, and I had an opportunity to observe the sensation created by it there. The next day, on the train from Paris to Strassburg, the conversation with fellow-passengers brought out over and over again the one opinion: *Si tacuisses!* Since then I have been here in Munich, attending meetings of Conservatives, Liberals, Socialists, Clericals, talking with university professors and with business men, and again the one topic uppermost in people's minds I found to be this interview and its consequences. It may be worth while briefly to summarize the impressions gained during these weeks.

The most striking and, to my mind, the most deplorable feature of the situation is that the monarchy has received a setback which it will be hard to make good. Not since the days of the French Revolution have such things been said and written as have been freely expressed from one end of the German Empire to the other during the last fortnight. In the Reichstag there was not a dissenting voice in condemning the Emperor's confidences to foreigners. That the Socialist leader Singer should have said, The only correct statement made by the Emperor to his English interviewer was that he was himself in a minority in Germany, may perhaps be dismissed as a mere witticism. That a Radical deputy should have exclaimed, "We have no use in Germany for a *roi so'eil*," may perhaps be designated as buncombe oratory. But it was certainly mere than oratory when the Conservatives declared: "The evil effects of the revelations made about our foreign policy cannot be palliated; even in those circles whose loyalty to the Emperor no one questions, they have created deep alarm." There was a veiled threat in the resolution of the National Liberals containing the words: "Although convinced that these utterances of the Emperor's were animated by his deep concern for Germany's welfare, we must express our earnest wish that the Emperor in his political activity observe the self-restraint incumbent upon him as a constitutional ruler." And it was an admission of deep significance when Prince Bülow in his reply expressed the conviction that the Emperor henceforth would act in accordance with this demand, and added: "If this were not so, neither I nor any one succeeding me could assume ministerial responsibility."

Indeed, there is no gainsaying the fact: the monarchy is now under fire in the German Reichstag, and not only in the Reichstag, but everywhere in Germany. Whatever paper you take up, with whomever you talk, the meetings of whatever party you may visit, everywhere you meet the same profound distrust in the present management of political affairs; everywhere you hear the same outcry against what is called the capriciousness, the fickleness, the sensationalism, the irresponsible impulsiveness of the present court policy; everywhere you hear the same demand that a nation of more than sixty million people, a nation equal to any and superior to

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most in public spirit, in education, in discipline, in patriotic devotion, should be treated with more seriousness and consideration by its rulers, and should acquire a larger share in the shaping of its political destiny. It will be no easy task for the monarchy to regain the unconditional confidence which it possessed with the vast majority of the German people under the old Emperor William. It will take a long time and a large amount of earnest, hard, self-sacrificing work to win back the sympathies that in a few unguarded moments have been lost.

What complicates matters is that just now legislative tasks of unusual magnitude are about to be brought before Parliament; tasks which undoubtedly will call forth a great deal of party acrimoniousness. Most of all is this the case with the proposed financial reform. That this reform is necessary no fair-minded critic can deny. For a Federal Government which depends—as the German Government does at present to a large extent—on appropriations made by the different States cannot in the long run exert sufficient authority. To make the Empire financially independent from the individual States is therefore a pressing national duty. But in order to accomplish this, five hundred million marks of new taxes are required. And there is no question that especially the Socialists will intensify the present crisis as much as possible, in order to prevent the passage of any bill entailing additional taxation.

Moreover, it seems very likely that the distrust which in some parts of the Empire is still felt against Prussia will receive new stimulus through the events of the last few weeks. Only yesterday I attended a meeting of some six thousand people here in Munich, in which the question was openly discussed whether it was reasonable that the German crown should permanently and fixedly be attached to the House of Hohenzollern, or whether, in case of incompetency of the Hohenzollern Emperor, some other German dynasty, such as the House of Wittelsbach or Wettin, should not be called upon to provide a successor. Such naïve discussions are at present purely academic. But whether, with growing popular indignation, Separatist movements of considerable harmfulness might not spring up, seems by no means certain.

So much for the alarming features of the situation. Luckily, it may be added that they are offset by a number of brighter and more encouraging aspects.

In the first place, nothing could have afforded a more striking refutation of the often-repeated assertion that there was no freedom of speech in Germany than the discussions of the last fortnight. It is hard to imagine a state of public affairs where everybody could speak his mind with less reserve or greater directness than in contemporary Germany. It is not only in the Reichstag that the personal conduct of the Emperor is unsparingly and sometimes caustically criticised. The same is true of the newspapers and periodicals of every description, of public meetings of every kind, and of private conversations. And nowhere is there any attempt at interference on the part of the authorities, as long as these criticisms refrain from seditiousness or personal libel. Where public opinion finds such untrammeled and universally safeguarded expression, the danger of violent explosions and serious disruptions is fortunately small.

Secondly, it is a satisfaction to state that German public opinion on the whole has expressed itself in these days with dignity and discretion. With the exception, perhaps, of the Socialists, no party has tried to make capital out of the national embarrassment to promote its own interests at the expense of the country. On the contrary, party lines have been largely effaced in the common determination to maintain constitutional decorum and to guard the undisturbed development of popular institutions. The present crisis has been an incontrovertible proof of the fact that the multitudinousness of German parties does not stand in the way of a strong and judicious national policy, that the two-party system is not the only guarantee of constitutional freedom.

And, finally, is it not to be hoped that, when the excitement of the day has calmed down, the Emperor himself will

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appear to his people once more in the light, not of his speeches and interviews, but of his acts? Has the Emperor during his whole reign done a single thing which could be construed as an infringement of constitutional liberties? Did he not mark the beginning of his rule by the abolition of the coercive law against the Socialists? Has he not frequently bowed to the popular will, even if, as was the case in the agitation against the reactionary Prussian school bill, the popular will did not happen to be supported by a Parliamentary majority? Did he not, even in the present case, hold himself entirely within the limits of the Constitution, by submitting the manuscript of the unfortunate interview to his Prime Minister? And, on the other hand, can it be forgotten what positive results the restless activity of the Emperor has achieved for Germany? Has he not fostered, perhaps more than any other single person, the rapid industrial and technical expansion of Germany during the last generation? Has he not done his best to modernize secondary education in Germany? Has he not for twenty years been a devoted and effective guardian of peace? Is not the present German navy, in every sense of the word, his own work? Should all this be wiped out on account of a certain rashness of mind that occasionally makes him forgetful of diplomatic reserve and leads him to outbursts of feeling which, while showing passionate love of country, do not show the wisdom that serves the country best? I cannot believe that the German people has so short a memory for real achievements and so vindictive a temper for what after all are defects that may be overcome; and I trust that the day is not distant when the shadow which now separates the Emperor from his people, and which for the time obscures his generous, ideal aspirations, will have passed away.

The next few days will decide whether Prince Bülow, whose failure to prevent the publication of the unhappy interview is, after all, the immediate cause of the present trouble, can maintain himself in office. But even if this should not be the case, the Emperor will have a chance to set himself right with public opinion by a direct message to the people, expressing his recognition of the patriotic temper of the recent discussions in the Reichstag and his own determination to adhere to a strictly impersonal, objective, and non-partisan policy, the traditional policy of the Hohenzollern House.

Munich, November 15.

JOYOUSNESS

EY ELEANOR HOPE JOHNSON

Thin lines of rain among tall, pointed trees
Slant through a sheen of glimmering green and gray,
And I, though traveling a lonely way,
Heed neither gloom nor storm, intent on these:
Green of the pines, like misty, windswept seas;
Gray of the clouds and shadows and dull rocks,
Merged now and then by gusts like earthquake shocks;—
Surely old Nature always wills to please!
What matters seeming darkness or the cold?
She claims our dearest love in every mood.
Not loneliness, nor fear of growing old,
Nor yet despair of any future good,
Can still the hymn of thankfulness untold
My heart sings when the rain slants through the wood.

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THE CRIMINAL LAW AS A MEANS TO ENFORCE THE PEOPLE'S WILL[1]

By CHARLES J. BONAPARTE

ATTORNEY-GENERAL OF THE UNITED STATES

A CANDIDATE for the Presidency, in his speech of acceptance, declared the issue of the late National election to be, "Shall the people rule?" As with many other sayings of men prominent in politics, these words have been since repeated on innumerable occasions, admiringly or with ridicule according to the standpoint of the speaker or writer, but apparently very seldom with any clear consciousness of their meaning; to the spellbinders on either side, if not to its author, the phrase seems to have been a matter rather of sound than of sense. Nevertheless, the question is pertinent and of moment in our country; it implies at least a doubt whether our form of government, our institutions, and our laws are such that the people's will is, in last resort, the decisive factor in all public problems; whether with us the people can do, at all times and everywhere, what the people may see fit to do.

In dealing with this question we must, of course, remember that when a sovereign is made up of an immense multitude of individuals, the mere ascertainment and expression of that sovereign's will is necessarily a cumbrous and intricate process. If a man can say truthfully, with Louis XIV, "L'Etat, c'est moi," one finds out what is the nation's will, or, in other words, what is the law, by merely asking him; if his answer differs from what was said before by himself or by an earlier prince of like powers, the nation has simply changed its mind, the old law has been amended or repealed. But when the office he holds is put in commission, and its powers are intrusted to thousands, even to millions, of citizens, equal before the law, it takes time and effort and needs much complicated legal machinery merely to discover and publish what is the people's will, to formulate the law, and, when needful, to change it.

Moreover, we must not forget that ever since the days of the Three Tailors of Tooley Street, the query, "What is" or "Who are 'the people'?" has been matter of debate and often of dispute; and that, although it has received, for practical purposes, many different answers in different countries or at different times, the legal "people," that is to say, that part of the community empowered by law to speak and act for the whole, has been always and everywhere a minority, indeed a decided minority, of all the human beings subject to the "people's" will. In the most democratic communities the world has known, political power has ever been a trust and the legal rulers a minor fraction of the number ruled.

I shall not trouble you with any discussion of either of the two topics last mentioned. Assuming that the people's will has been definitely and regularly expressed in the form of law, how may the people make sure that this will, as expressed, shall be obeyed? Or, in other words, how is the law to be enforced? For any fruitful consideration of this subject it must be further assumed that, in the first place, obedience to the law is essential to the life of civilized society, and, secondly, that to assure such obedience compulsion in some form is indispensable; passion or self-interest will always tempt and often persuade individuals to resist or evade rules ordained for the good of all.

Neglecting exceptional contingencies, it may be said that the forms of compulsion available to a community against its rebellious members are limited to four; namely, (1) threats of supernatural penalties, (2) social degradation, (3) the exercise of military or *quasi* military force, and (4) punishment through the criminal law. Of these, all four are

[1] Address of the President of the National Municipal League at the Annual Meeting, delivered at Pittsburgh, Pennsylvania, Wednesday, November 18, 1908.

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constantly and extensively employed in all civilized countries at the present day, and it may be doubted whether civilization, as we know it, could continue to exist were any one of them abandoned; but only the last two are within the sphere of political and legal action. The distinction between direct exercise of public force and the administration of criminal law appears to us so essential and so obvious that it sounds strange to say that the latter is fundamentally a mere highly specialized development of one feature of the former. Before a policeman clubs a recalcitrant tough, or an officer of militia orders his command to fire on a mob, each, as the representative of the community, must be satisfied that the prisoner is really resisting arrest or the rioters are in truth disturbing the public peace and threatening injury to persons or property. Before a murderer shall be hanged or a burglar imprisoned, officers empowered to that end must be satisfied that he is truly a murderer or a burglar. The question to be determined is, in both instances, the same; namely, whether the necessity has, in fact, arisen to treat certain individuals as public enemies. But while in the one case this is settled by simple inspection on the part of the executive, in the other the process of ascertaining the material facts has been with us expanded by ancient custom and many statutes into an elaborate and intricate system of jurisprudence, containing highly artificial rules of procedure and proof, so as to furnish in itself a subject of study of no little difficulty.

What I have just said may seem to some open to criticism because the action of the supposed policeman or militia officer is in purpose preventive, while that of a criminal court is punitory; this distinction, however, is of the surface. Our policeman does not aim to so cripple his unruly captive that the latter really *cannot* struggle longer; if this happens, it is from accident or sheer necessity. What he has in mind is to teach the tough, through the persuasive object-lesson of a broken head, the unwisdom of resistance to the law. So the colonel or captain who clears the street by a volley has no wish or purpose to make it physically impossible, through death or wounds, for all members of the mob he disperses to continue their disturbance of public order; he hopes, and usually with reason, that the unpleasant but wholesome spectacle of one rioter lying in his blood may bring back ninety-nine others to their senses and the obedience of good citizens. On precisely the same principle, a man found guilty of crime is punished by fine or imprisonment or death, that others tempted to commit a like crime may be strengthened to withstand the temptation; and likewise, in the first two contingencies, that he too may be the wiser another time, and, in the last, that he may be made harmless for the future.

The legitimate problems of the criminal law are therefore two: first, to find out when and by whom the people's will, that is to say, the law, has been disobeyed; second, to so deal with one guilty of such disobedience that others, and ordinarily himself as well, may be taught to obey in future. As an instrument to these ends, I think American criminal law to-day has very serious defects—in fact, that, in large measure, it fails of its purpose. A principal cause of this failure, to my mind, is its anxiety to guard against a danger which was once very serious, but has now become remote and almost chimerical: I mean the danger lest men really innocent be convicted of crime. Of all the many applications for pardon which I have had to consider since I held my present office, only an infinitesimal number, not more than perhaps a half-dozen, have suggested any reasonable ground to even doubt the prisoner's guilt; and while, of course, a possibility of error must always attend any determination of the human mind, the risk that any man trying in good faith to obey the law shall be punished as a criminal is almost inconceivably small; I question whether it is one-hundredth part as great as the risk he runs of being killed or maimed by an automobile. Nevertheless, I would not have the law so changed as to remove any substantial safeguard to true innocence which it now affords; for, however slight the danger of unjust conviction may be in fact, this danger appeals so strongly to the imagination as gravely

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to affect human happiness. I would, however, see the law purged of various obsolete and obstructive rules of procedure or proof which, in practice, serve only to provide loopholes of escape for conscious and often brazen guilt.

For example, I think grand juries should not be abolished, for to a man of good repute it may be a grave injury to be even formally accused of certain crimes—an injury which a subsequent acquittal may by no means fully repair; and it may well be a wise precaution that twelve out of twenty-three of his fellow-citizens should say the charge against him is credible before he is called upon to face it. But the practice which has grown up in certain jurisdictions of minutely revising the action of grand juries, and quashing indictments because evidence technically inadmissible was submitted, or this or that comparatively trivial matter of form was inadvertently neglected before the grand jury, is, to my mind, both unreasonable and mischievous; such inquiries destroy the secrecy of the grand jury's proceedings, and enable guilty men to delay, too often to defeat, their just convictions and merited punishment; they have no practical usefulness and should be everywhere forbidden by statute.

Again, no one would have a man once fairly and properly tried for a crime and either convicted or acquitted brought to trial again for the same offense: *interest rei publicæ ut sit finis litium* [It is to the public interest that limits should be set to actions-at-law], and no more fitting occasion could arise for the application of this wise and salutary maxim. But if the trial has been unfair or otherwise improper, whether through misconduct of the jury or error of the judge, it is the dictate of common sense that this miscarriage should be duly corrected and the man retried. This can be and is daily done when he has been convicted; but if he has been acquitted, no matter how erroneously and with what evident injustice, there is no remedy, because of an old and arbitrary rule against what is called "double jeopardy," a rule originating under circumstances utterly unlike those of to-day and which has been generally embodied in our Constitutions and statutes to the great profit of lawbreakers.

The common law of England, unlike most other systems of mediæval law, never sanctioned torture, whether of defendants or witnesses. In this the common law showed itself both wise and humane, for human experience has shown that the use of torture tends not to secure but to hinder the discovery of the truth; but, by reason of the strong and reasonable repugnance thus fostered towards confessions and testimony extorted by physical pain, there grew up in England rules against admitting in evidence confessions procured under highly conventional duress and against obliging prisoners to incriminate themselves, which rules in America have crystallized into numerous constitutional and statutory provisions, and these have been, in turn, so construed in some judicial decisions as to extend the prohibitions, in my judgment, beyond the bounds of reason and public policy: we have seen convictions set aside because juries were told of remarks by the prisoner made under no obvious compulsion, and which contained no inelligible admission of guilt. One of the most enlightened changes made by modern statutes in the rules of evidence permits the accused to testify in his own behalf; this privilege is invaluable to an innocent man, and it is therefore simply impossible for a rational mind to avoid an unfavorable opinion as to the probable guilt of one who refuses to avail himself of it. Yet in the great majority of our States the statute law gravely requires this impossibility of a jury, and even obliges the court to so instruct them, while forbidding the public prosecutor to tell them what everybody knows they must think anyhow.

The foregoing criticisms are illustrative only: to comment fully on all those peculiarities of our modern criminal law which are helpful to "undesirable citizens" and harmful to the public would take more time than I can either give myself or ask, in reason, of you; but, in my view, its gravest and least excusable deficiency is found in its endless delays. A hotel thief recently attempted to rob

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an English traveler and the latter's wife at a New York hotel. He was captured by his intended victims, and, as they were to sail for their home within some thirty-six hours, Dame Justice, for once, got a hustle on her. A single day saw the culprit committed, indicted, arraigned, tried, convicted, and sentenced; and as the English couple started down the harbor their new acquaintance started for Sing Sing. If this was done in one case, why cannot something like it be done in any case? Why need there be a foretaste of eternity between arrest and indictment, another between indictment and trial, yet another between trial and actual punishment? Partly because the Bench and professional opinion among the Bar tolerate all kinds of dilatory, frivolous, and often ridiculous proceedings on the part of unscrupulous counsel intended to cheat Justice of her plain due; partly because our lawmakers afford almost infinite facilities for review of judicial action to the criminal, although very stingy in allowing them to the Government; mainly because our laws show little sense of the value to society of a speedy administration of justice. We have small judicial districts, intermittent sessions of our criminal courts, judges sometimes overworked, sometimes indolent, prosecutors sometimes overburdened by their duties, sometimes politicians rather than lawyers. All this makes for delay, and all that makes for delay makes against the efficacy of the criminal law. When Richard III exclaimed, "Off with his head! So much for Buckingham!" not only Buckingham himself, but all who had ears to hear the words and eyes to see what followed them, knew that the King meant business. When the people of an American State or the American Nation decrees death to whomsoever shall do thus or thus, and then lets the transgressor live for months and years while lawyers wrangle and juries disagree and judges reverse each other, there is room for doubt, and doubt in fact, whether the State or Nation does, in truth, mean business. Mere lapse of time is, in itself, disastrous to that righteous anger which bodes ill to evil-doers. While the memory of a crime is yet fresh, while we see all the suffering it has caused and feel how base and wicked is the criminal, we have little patience with that morbid sympathy which would blunt the sword of justice and rob punishment of its terrors. But when years have rolled by and offense and offender are alike well-nigh forgotten, grave danger exists lest in the ever-present ocean of milk and water there be drowned our hatred of wrongdoing and our purpose to compel obedience to the people's will. It may be that in this world or the one adjoining to the netherward one could find some criminal so odious and so noxious that none will ask for his pardon; but I, at least, know of none such. That sovereign punishes with double efficacy and triple certainty who punishes while the crime is rank and recent.

"Shall the people rule?" Yes, if and in so far as the people shall be in earnest in the wish and purpose to rule. If the people shall demand prompt and unquestioning obedience to the people's laws, and shall give to this demand an ample sanction in swift, sure, and grievous retribution for all rebellious to those laws, the people's rule will be real. And to show this earnestness of purpose, to assure this genuine and lasting supremacy, the American people must thoroughly, rationally, and honestly recast its criminal law.

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TANG-SHAO-YI

IMPERIAL AMBASSADOR TO WASHINGTON

BY GEORGE MARVIN

"AJAX" they called him at school in America thirty years ago, and "Tang the Builder" he is called in Manchuria, the province he has done much in the past two years to preserve and construct. Both names are appropriately descriptive. In the strong, deep-chested figure, square jaw and steady eye, the quiet, deliberate manner, one finds outward evidence of the character of the man; his appearance is corroborative of his works, and *vice versa*.

It is strange that the career of this Ambassador from the Orient should bear so many points of resemblance to the biographies of some American self-made men. Change the terms and the setting, and the rise of an American captain of industry is not more expressive of the sheer dynamics of perseverance and native ability than the career of this Chinese statesman. Forty-six years ago he was born of well-to-do but comparatively obscure Cantonese parents in the southern province of Kwantung. He is therefore by birth and ancestry Chinese as opposed to Manchu, not allied to the dominant race in China, but rather springing from the southern stock which, although apparently in the past unable to cope with their northern brethren in war, have always been superior in intelligence and nervous energy.

A Cantonese, then, in birth and breeding, Tang-Shao-yi had already shown marks of promise as a lad when, in 1872, he was selected as one of the first Chinese students to be educated at the expense of the Imperial Government in America. With Tang in that pioneer band of twenty Chinese boys traveled Liang-Tung-yen, now Junior Vice-President of the Waiwupu; M. T. Liang, acting Governor in Manchuria; Liang-Ch'eng, who will be remembered as Minister to the United States; Chung-Men-Yew, who accompanies the present Embassy to America, and several others who have achieved rank as provincial officials.

They were quartered, in most instances wisely, in responsible and broad-minded New England families, learning thus at a most impressionable age American ways, speech, and traits with a thoroughness nearly impossible in schools. Upon Tang the impressions of his American student days were lasting. "Ten of the happiest years of my life were spent in America," said he one day at Mukden, with a sincerity of tone more impressive than the words. When in July last the Imperial Government appointed him Ambassador to Washington, one of his first acts was to cable the American family in Springfield, Massachusetts, where he spent six years of his educational exile, asking if he might come back again to revisit his American home. That family in Springfield may, unawares, have had its share in shaping Chinese history. A Chinese boy was happy and contented there; he was taken in, not tolerated. In the Springfield schools and at Columbia he acquired his physical and mental sinews, but his twelve years of living with American people have given him that rare thing in an Oriental, a real Occidental understanding, an ability to think in American terms, and to appreciate a point of view in many ways the antipodes of that which he inherited.

Tang was good at his books. He graduated from the Springfie d High School, and would have been a member of the class of '83 at Columbia had not a vacillating Peking Government prematurely and unexpectedly called home their educational experiment. Besides the things that are learned from books, he learned to drive and ride good horses, and his finger joints still bear testimony to the days when he covered second base on the school nine. He played American games and he learned "to play the game."

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The first Chinese students educated in America returned to their native land under a cloud. A reactionary phase in the Government and popular opinion brought them under suspicion as foreigners. Thus at first their liberal Western education was an actual handicap to their ambition in official life. And so, in '83, soon after his return to China, the young Cantonese student was sent off as a clerk with a German commissioner named Von Mullendorf to help organize the customs service in Korea, at that time a vassal state of China. The late Von Mullendorf was a remarkable charter, well known in North China. In his house, as a member of his family, Tang lived during four years. Brought thus into intimate relationship with a cultivated European household, the happy and broadening influences of his American residence were continued and developed. When, at the end of 1886, Von Mullendorf withdrew from the customs service, Tang joined Yuan-Shih-kai, Chinese Resident at Seoul. It is worthy of more than passing notice that no longer ago than '88 the man who is now unquestionably the leading statesman of China occupied a position in Korea almost precisely similar in its nominal character to that of Marquis Ito, now Japanese Resident-General of Korea. Tang was Yuan's secretary; he found as his colleague in that position one of his American schoolmates, the M. T. Liang who, recently Taotai at Shanghai, is now, in Tang's absence, acting Governor at Mukden.

In its influence upon subsequent events this step was the most important in Tang's career. Ever since their association in the Residency he has been identified with Yuan-Shih-kai in the steadily progressive movement toward Western efficiency and modern, as opposed to traditional, methods which is now exciting the attention of the world. Yuan-Shih-kai is the leader of this movement, the recognized head of the awakening China. Tang-Shao-yi is now, and has been for many years, his right-hand man.

In vassal Korea Tang remained until the Japanese-Chinese war of 1894 broke out, and after the Peace of Shimonoseki he returned in '95, in the newly created capacity of Consul-General accredited to the now independent government of Korea, to his former post at Seoul, where he remained until shortly before the Boxer uprising five years later.

When the Allies took Tientsin in the summer of 1900, Tang, who was then Managing Director of the Imperial Railways of North China, nearly lost his life as a result of his refusal, acting under orders, to allow the troops to commandeer locomotives on his lines in their advance on Peking. However misguided such action may have been from the point of view of the relief of the Legations, it showed courage of a high order on the part of a Chinese official cut off from support in the midst of foreign troops. Merely upon the ground of this incident detractors have accused the Mukden Governor of anti-foreign instincts, a charge which his whole broad-minded official and private career effectually disproves. The position at the head of the Northern Railways had been secured through Yuan's influence, and subsequently, when the Protocol of 1901 had put an end to the Boxer disturbances, and Yuan had been appointed to succeed Li-Hung-Chang as Viceroy of Chihli, the most important of the eighteen provinces, Tang was named as Customs Taotai at Tientsin. In this, one of the most lucrative and influential posts in the gift of the Government, he continued in close touch with his chief.

The next move was to Peking as Director-General of Railways, and promotions followed fast to Junior Vice-President of the Waiwupu, High Commissioner of Customs, and Member designate of the Grand Council. In the series of negotiations following upon the Russo-Japanese War he was intrusted, at first as secretary and afterwards as accredited representative of his country, with the highly responsible conduct of the supplementary agreements with Japan and Russia. During 1905 he completed, as special Envoy of his Government at Calcutta and Peking, the Tibetan Convention with Great Britain. In Manchuria during the past two years, as Governor of Fengtin province, he has been the real force which has insisted

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upon the recognition of treaty obligations, and, in spite of many difficulties, held the door open. Amid all this official activity he has nevertheless found time to act as the leader in the anti-opium crusade, a movement which is now culminating in the international conference, convened at the instance of the American Government, to be held in Shanghai in January.

Last March the various questions at issue between the Imperial Government and the Government of Japan concerning Manchuria, which had reached an apparent deadlock, were referred to Peking, and Tang-Shao-yi was recalled to the capital to carry on the negotiations with Baron Hayashi, the Japanese Minister to China. It was most fortunate for the best interests of the two nations at that juncture that the two Envoys were men capable of bringing tact and consideration with firmness to bear upon a discussion of disputed points which had become, by reason of their long continuance, unusually trying. The Yalu Timber Controversy, which had hung fire since the conclusion of the war, was promptly settled in a manner acceptable to the Chinese, and the dispute over the Chientao Boundary, the Railway Settlements, and the Postal and Telegraph Conventions put upon a basis favorable to a final equitable arrangement.

Before the negotiations were concluded Baron Hayashi was recalled in June to Tokyo in the general readjustment prior to the accession of the Komura Cabinet, and early in July Tang was appointed Special Ambassador to Washington. For this most important and desirable post several candidates were available, but in choosing H. E. Tang their late Majesties not only rewarded a conspicuously successful official, they also chose the man most fitted by his record, associations, and position to carry the thanks of the Chinese Empire to this Government for an act of international friendship, and to cement more closely the cordial relations already existing between the two countries.

These, then, are the bare outlines of a career which is regarded as remarkable in China and has drawn attention throughout the Far East. It remains briefly to indicate the man.

An unscrupulous and plausible promoter a few months ago sought and obtained an interview with Tang at Peking. The promoter set forth to the Tung-Wha-Men Street in a victoria with two uniformed mafoos of the Hotel Wagons Lits on the box seat. Smoking a long prosperity-indicating cigar, he sat high and glorious on his cushions, charged with confident self-importance, and inflated with the air of his project. Forty minutes later he slunk back into the hotel, a crumpled, uninflated individual. His half-smoked cigar was out.

"My word!" said he, hoarsely, "what a listener!"

Tang is a great listener. In his imperturbability he is, of course, not unlike the rest of his countrymen, but the silence is not negative. His manner is easy but not ingratiating. He expresses himself in English fluently when necessary, but always deliberately, never diffusely. Whether speaking or in silence, however, his attention is insistent; his keen, alert eye is an index of a mind which does not overlook or miss details, and never forgets.

But in spite of this seeming austerity his is the reverse of a forbidding character. Impostors, or those who have sought to turn him to their own way, find him hard, indifferent, sharp; he has many detractors. But a man ought to be known by the enemies he makes as well as by his friends. To his friends this Chinese official has always been a firm friend, thoughtful, appreciative, kind. Ever since the death of Von Mullendorf, the Customs Commissioner in Korea, Tang has taken care of the orphaned children. The oldest daughters were governesses to his little girls in Peking and Tientsin, and are now studying music in Germany at his expense. English missionaries in Mukden during the past two years have had many reasons to thank a tactful generosity. On the coast of Kwantung near his native town a beautiful school built of white concrete and brick, in a happy blending of Chinese external architecture with European interior convenience, proves that he has not forgotten his local alle-

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giance and those who remained at home. Sixteen nephews scattered in the schools and colleges of Germany (6), Russia (2), Belgium (2), England (2), and America (4), are entirely supported by this beneficent uncle, who not only maintains them comfortably in the various countries, but follows their work and insists upon a conscientious use of their opportunities.

In the education of his own children he has had a personal share and direction. The four girls speak English readily, play the piano, study history, and take an interest in current events. The two little sons, aged about seven and five, are manly, fearless boys, with excellent manners. In the yamen quadrangle at Mukden is a good clay tennis court, and the Governor's family make good use of an English billiard-table. Tang's horses are the best in Central Manchuria, and his landaus, victorias, and broughams roll smoothly over the macadamized, well-lighted streets of the Manchurian capital, which he is turning into a clean and orderly city. In the Peking days he used to drive a high-wheeled dog-cart and frequently rode horseback; but of late years his official duties have almost barred outdoor amusements.

With all of the prominence he has won, the great preoccupation which must always accompany him, he is in his private life simple, unassuming, modest to a degree. Officially he is a great stickler for appropriate ceremonies, and insists upon a scrupulous observance of prescribed forms on public occasions. The sentinels at the Viceregal gates in Mukden click their heels together and present their shining Mausers with the precision of grenadier guards, and the functions at Government House are faultless in service and management.

Here at Washington, then, is the Special Ambassador. With Yuan-Shih-kai, this man above all others stands for Chinese reform. The rising generation looks to him for leadership and achievement, particularly now since the recent events in Peking bring Yuan and his party more effectively into the reshaping of China than was possible under the dominating influence of the late Empress Dowager. Now, on the threshold of new thought, new life and aims, these men seem destined to control and direct mighty nascent forces. As to what lines these forces will take it is difficult now to say; but the fact stands out that, in spite of known Cantonese proclivities, the judgments of these men have prevailed with the Imperial sanction at Peking. The strong reactionary opposition of Chang-Chih-tung less than two years ago has been changed to present co-operation; the Prince of Ch'ing, head of the Foreign Office, has apparently been acting according to their dictates; the literati have either been convinced and won over, or are now too weak or unwilling to resist the mighty trend of affairs under their leadership. But it must be borne in mind that Tang's attitude toward foreign acquisition and influence in China has conformed as consistently as that of his chief to the prejudice of the *ancien régime*, while his energetic reform policy is thus lightened of the burden of grafting foreign concessions, and therefore particularly acceptable to Young China.

Change permeates things Chinese, but with awakening needs and desires for improvement come also greater sensitiveness and the first touches of a new national consciousness. Tang-Shao-yi is an earnest advocate of "China for the Chinese," but it is entirely wrong to suppose that this patriotic doctrine implies an anti-foreign spirit. Even as advocated in the vernacular press, this platform, although in many of its details prematurely exploited, is still easy to understand and admire. From our point, or rather from the average European point, of view, the Chinese have not yet attained in their new national enterprises a sufficient measure of efficiency to justify doing away with all foreign advice and assistance. Nevertheless, there is a strong and growing sentiment in China against the old type of foreign mining and railway concessions; their day is finished. As a choice between two evils, enlightened Chinese officials must prefer a blundering progress of their own to a repetition of some past international transactions by which almost all profit goes to the foreigner, as well as an in-

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demnity-yielding position, and only a comparatively bleak experience is harvested by the owners of the soil.

Unquestionably Tang-Shao-yi shares at least such part of the patriotic attitude just indicated as squares with a very rare and thorough knowledge of foreign affairs, foreign representations, transactions, and methods. Unlike the literati of the old school, he is well aware of China's limitations, as well as of her possibilities. He knows that what China now particularly needs is a practical friendship. If it may have been justly said of Chinese officialdom, at some stages of recent history, that they showed a somewhat molluscous inability to help themselves, here at all events is a vertebrate Chinese official who has given repeated evidence of personal and patriotic self-reliance. All he asks for is equality in dealings, time to grow, a fair chance to solve China's gigantic problem.

IN THE FIRELIGHT

BY ELISABETH WOODBRIDGE

JONATHAN had improvidently lighted his pipe before he noticed that the fire needed his attention. This was a mistake, because, at least in Jonathan's case, neither a fire nor a pipe responds heartily to a divided mind. As I watched him absently knocking the charred logs together, I longed to snatch the tongs from his indifferent hands and "change the sorry scheme of things entire." Big wads of smoke rolled nonchalantly out of the corners of the fireplace and filled the low ceiling with bluish mist, yet I held my peace, and I did not snatch the tongs. I know of no circumstances wherein advice is less welcome than when offered by a woman to a man on his knees before the fire. When my friends make fudge or rarebits, they invite criticism, they court suggestion, but when one of them takes the tongs in his hand, have a care what you say to him! In our household a certain convention of courtesy—fireplace etiquette—has tacitly established itself, in accordance with which the person who wields the tongs, assuming full responsibility for results, is free from criticism or suggestion. Disregard of such etiquette may not have precipitated divorce, but I have known it to produce distinctly strained relations. And so, while Jonathan tinkered in a half-hearted way at the fire, I ruled my tongue. At last, little vanishing blue flickers began to run along the log edges, growing steadier and yellower until they settled into something like a blaze. Jonathan straightened up, but there was a trace of the apologetic in his tone as he said, "That'll do, won't it?"

"Why, yes," I replied cautiously, "it's a fire."

"Well, what's the matter with it?" he asked, tolerantly.

"Since you press me, I should say that it lacks—style."

Jonathan leaned back, puffing comfortably—"Now, what in thunder do you mean by style?"

But I was not to be enticed into an empty discussion of terms. "Well, then, say frowsy. Call it a frowsy fire. You know what frowsy means, I suppose. Of course, though, I don't mean to criticise, only you asked me." And I added, with perhaps unnecessary blandness, "I'm *warm* enough."

Jonathan smoked a few moments more, possibly by way of establishing his independence, then slowly rose, remarking, "Oh, well, if you *want* a stylish fire—"

"I didn't say stylish, I said style—" But he was gone. He must have journeyed out to the woodshed—however,

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there was a moon—for he returned bearing a huge back-log. He had been magnanimous indeed, for it was the sort that above all others delights my heart—a forked apple log with a big hollow heart. In a moment I was on my knees clearing a place for it, and he swung it into position on the bed of embers, tucked in some white birch in front, and soon the flames were licking about the flaking gray apple bark and shooting up through the hollow fork in a fashion to charm the most fastidious.

People whose open fires are machine-fed—who arrange for their wood as they do for their groceries, by telephone—know little of the real joys of a fire. It is laid by a servant, unintelligently laid, and upon such masses of newspaper and split kindling that it has no choice but to burn. The match is struck, the newspapers flare up, and soon there is a big, meaningless blaze. Handfuls of wood—just wood, any kind of wood—are thrown on from time to time, and perhaps a log or two—any log, taken at random from the wood-box. Truly, this is merest savagery, untrained, undiscriminating; it is the Bushman's meal compared to the Frenchman's dinner. Not thus are real hearth-fires laid. Not thus are they enjoyed. You should plan a fire as you do a dinner party, and your wood, like your people, should be selected and arranged with due regard to age, temperament, and individual eccentricity. A fire thus skillfully planned, with some good talkers among the logs, may be as well worth listening to as the conversation about your table—perhaps better.

To get the full flavor of a fire you must know your wood—I had almost said, you must remember where the tree stood before it was cut—white birch in the dry, worn-out slopes, black birches from the edges of the pasture lots, chestnut from the ledges, maple from the swamps, apple from the old orchard, oak cut in sorrow when the fullness of time has come, and burned with the honor due to royalty.

But though this may be a refinement of fancy, it is no fancy that one kind of wood differs from another in glory. There is the white birch, gay, light-hearted, volatile, putting all its pretty self into a few flaring moments—a butterfly existence. There is black birch, reluctant but steady; there is chestnut, vivacious, full of sudden enthusiasms; the apple, cheerful and willing; the maple and oak, sober and stanch, good for the long pull. Every locality has its own sorts of wood, as its own sorts of people. Mine is a New England wood basket, and as I look at it I recognize all my old friends. Of them all I love the apple best, yet each is in its own way good. For a quick blaze, throw on the white birch; for a long evening of reading, when one does not want distraction, pile on the oak and maple. They will burn quietly, unobtrusively, importuning you neither for care nor appreciation. But for a fire to sit before with friends, bring in the apple wood. Lay the great back-log, the more gnarled the better, and if there is a hole through which the flames may shoot up, that is best of all—such logs we hoard for special occasions. Then with careful touch arrange the wood in front, your bundles of twigs, your pretty white birch sticks and your dry chestnut to start the fun, then the big apple fore-log, the forestick and the backstick, not too much crowding or too much space. Ah, there is a seemly fire! There is a fire for friends!

For the renewal of old friendships, as for the perfecting of new ones, there is nothing like a fire. I met a friend after years of separation. We came together in a modern house, just modern enough to be full of steam pipes and registers and gas logs, but not so modern as to have readopted open fireplaces. The room had no center—there was no hearth to draw around, there was no reason for sitting in one place rather than another. We could not draw around the steam pipes or the register. The gas log was not turned on, it would have been too hot, and anyhow—a gas log! We sat and talked for hours in an aimless, unsatisfactory sort of way. I felt as if we were, figuratively speaking, sitting on the edges of our chairs. It was better than nothing, but it was not a real meeting. The next year we were together again, but this time it was before our own blazing apple log. We did not talk so much

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as we had done before, but we were silent a great deal more, which was better. For in really intimate communion, silence is the last, best gift, but it cannot be forced, it cannot be snatched at. You may try it, but you grow restless, you begin to consider your expression, you wonder how long it will last, you fancy it may seem to mean too much, and at last you are hurried over into talk again. But before a fire all things are possible, even silence. Chance acquaintances and intimate friends fall alike under its spell talk is absolutely spontaneous, it flows rapidly or slowly, or dies away altogether. What need for talk when the fire is saying it all—now flaring up in a blaze to interpret our rarest enthusiasms, now popping and snapping with wit or fury, now burning with the even heat of steady, rational life, now settling into a contemplative glow of meditation.

In the circle of the hearth everything is good, but reminiscences are best of all. I sometimes think all life is valuable merely as an opportunity to accumulate reminiscences, and I am sure that the precious horde can be seen to best advantage by firelight. Then is the time for the miser to spread out his treasure and admire it. I remember once Jonathan and I were on a bicycle trip. My chain had broken and we had trudged eight long, hot, dusty miles to the river that had to be crossed that night. It was dark when we reached it, and it had begun to rain, a warm, dreary drizzle. As we stumbled over the railway track and felt our way past the little station toward the still littler ferry-house, a voice from the darkness drawled, "Guess ye won't git the ferry to-night—last boat went half an hour ago."

It was the final blow. We leaned forlornly on our wheels and looked out upon the dark water, whose rain-quenched mirror duly reflected the lights of the opposite town. Finally I said, "Well, Jonathan, anyhow, we're making reminiscences."

This remark was, I own, not highly practical, but I intended it to be comforting, and if it failed—as it clearly did—to cheer Jonathan, that was not because it lacked wisdom, but because men are so often devoid of imagination save as an adornment of their easy moments. Finally the same impersonal voice out of the dark uttered another sentence: "Might row ye 'cross if ye've *got* to go to-night." "How much?" said Jonathan. "Guess it's wuth a dollar. Mean night to be out there."

We had, between us, forty-seven cents and three street car tickets, good in the opposite town. All this we meekly offered him, and in the pause that followed I added desperately, "And we can each take an oar and help."

"Wall—I'll take ye." It seemed to me that the voice suggested an accompanying grin, but I had no proof.

And so we got across. We never saw the face of our boatman, but on the other side we felt for his hand and emptied our pockets into it—nickels and dimes and pennies, and the three car tickets; but as we were turning to grope our way up the dock the voice said, "Here—ye'll need two of them tickets to git home with. I do' want 'um."

Now already it must be evident to any one that my remark to Jonathan, though perhaps ill-timed, embodied a profound and cheering truth. The more uncomfortable you are, the more desperate your situation, the better the reminiscences you are storing up to be enjoyed before the fire.

Yes, there is nothing like firelight for reminiscences. By the clear light of morning—say ten o'clock—I might be forced to admit that life has had its humdrum and unpleasant aspects, but in the evening, with the candles lighted and the fire glowing and flickering, I will allow no such thing. The firelight somehow lights up all the lovely bits, and about the unlovely ones it throws a thick mantle of shadow, like the shadows in the corners of the room behind us. Nor does the firelight magic end here. Not only does it play about the fair hours of our past, making them fairer, it also vaguely multiplies them, so that for one real occurrence we see many. It is like standing between opposing mirrors: looking into either, one sees a receding series of reflections, unending as Banquo's royal line.

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Thus, once last winter Jonathan and I spent a long evening reading aloud a tale of the "Earthly Paradise." Once last summer we sat alone before the embers and quietly talked. Once and only once. Yet already firelit memory is laying her touch upon those hours. Already, though my diary tells me they stood alone, I am persuaded that they were many. I look back over a retrospect of many long winter evenings, in whose cozy light I see again the ringed smoke of Jonathan's pipe and hear again the lingering verse of the idle singer's tales; a retrospect of many long summer twilights, wherein the warmth of the settling embers mingles with the sharp coolness of a summer night, and pleasant talk gives place to pleasant silence.

The apple logs have burned through and rolled apart, the great back-log has settled deeper and deeper into the ashes. The fire whispers and murmurs, it whistles soft, low notes, it chuckles and sighs, finally it sinks into reverie, stirring now and then to whisper "sh-h-h-h" lest we break the spell. Only the old clock in the hall refuses to yield, and soberly persists in its tick-tock-tick-tock. Jonathan's pipe is smoked out, but he does not fill it, and we sit there, looking deep into the rosy glow, and dreaming, dreaming—

A SCHOOL IN THE FOREST

BY EUNICE HUGHES KAUFFMAN

THE Forest School of Charlottenburg is an educational experiment in Germany that is attracting widespread attention from medical men and advanced educators in every country. It is not a charity, but a regular school maintained by the city—the idea being to strengthen and at the same time educate those children of weak constitution who would ordinarily succumb to disease in the home surroundings and in the crowded school-rooms of the city.

Germany takes extraordinary care of her children. An English humorist has said, "The German citizen need only give himself the trouble to be born—his government does the rest." Which is what Mark Twain would call petrified truth. And the results justify the facts. For one thing, there are no beggars in Germany; for another, skilled workmen are not lacking. The national thrift and foresight are in nothing better shown than in the care bestowed upon the children of the poor. The Government takes them in hand early, and compels them to attend school. They are not only taught, they are kept clean; their health is watched over minutely; defective eyes and ears are attended to; books are furnished if necessary; and, if need be, clothing and food are supplied. In short, everything is done that can be done to prevent idle, unhealthy, spendthrift parents from bringing up idle, unhealthy, spendthrift children.

The *Wald-Schule* is quite a step in advance of previous efforts for the conservation of young life, and deserves all the praise it is receiving. The idea originated with Dr. Neufert, the city school director of Charlottenburg, and Dr. Bendix, chief school physician. These two men, earnestly seeking, the one to adapt the school work to the backward children, the other to fit the physically weak for their tasks, found, upon comparing notes, that the objects of their solicitude were usually the same—that is, those whom the physician deemed weak in body were nearly always those whom the teachers found mentally slow—whose attention lagged and who proved unequal to their lessons. Between them they devised the plan of the School in the Forest, whereby these children are entirely separated from the stronger, to the benefit of both, are kept in the open

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air all day long, are well fed, and study lessons suited to their strength.

When the writer first became interested in the work of this school and determined to visit it, to his surprise he was met on all sides with quiet but persistent discouragement. Finally he learned how to get there, only to be told that admittance was denied excepting to those who carried written permission from one high in authority. Perhaps the readers of The Outlook are familiar with the fact that during the hours that Germany compels her children to study she protects them likewise from the interruption and distraction of chance visitors. German friends argued with reason that if they, the taxpayers and supporters of these schools, could not visit them, a mere stranger need not try. But a polite note brought in the course of ten days or two weeks the much-coveted permission—signed by the Mayor of Charlottenburg.

Armed with this we boarded the car for Spandauer Bock, alighted at Schloss Ruhwald, and, following the path through the Grunewald, arrived in a few minutes before the gate of the forest school. The Mayor's name made everything easy. The head master greeted us most cordially; he had already heard of our great interest in the school, and with the rest of his staff was at great pains to show and explain every detail of the school. We arrived, by the way, just as the children were getting ready for their afternoon refreshment of milk and bread and jam—each child bringing its own numbered cup from its own numbered peg for that purpose.

The soil everywhere in this region is white sand lightly covered with various creeping plants and flowers. The air, delightfully soft in summer, is clean and fragrant with the odors of the pine trees, which are close set and high. The inclosure—four acres in extent—has a high wire fence on three sides, while on the fourth a high embankment serves as boundary, and gives a favored slope for the play of the children. Over the gateway floats the blue and yellow flag of Charlottenburg.

The buildings are of the simplest: two school barracks, one story in height, with adjustable sides and partitions made of weather-proof pasteboard and wood, each containing two schoolrooms, two smaller rooms for the use of the teachers and the housing of school supplies, and with a lean-to at either end for the accommodation of the wraps and rugs and school-bags of the children. Beside these there are two sheds with open front where lessons are heard, and scattered over the inclosure are numerous small mushroom-shaped shelters covering a table and benches—sufficient protection in a light shower, and seemingly in great favor with the older girls as a place to study or to take their bits of sewing.

Meals are served in the open air, a roof only sheltering the tables at which the children sit by classes. A building on the ground at the time the school took possession was donated by the National Women's Club to be used as kitchen and work-room. It also contains a sitting-room and sleeping apartments for the nurse and servants, who are the only ones who remain at night. A Red Cross nurse has charge of the housekeeping and hygiene of the school. She keeps close watch of the weight of each child, sees that each one has its proper bath three times a week, hot or cold or shower, as the doctor may have prescribed; brings all who need his care before the doctor on his bi-weekly visits, and mothers them generally. All this, in addition to serving five meals a day, makes her a very busy woman, and yet we noticed that she had time for a smile and a pleasant word for every child that came near.

Both nurse and teachers took pride in calling attention to the gain in weight, health, and spirits by the different children. They were from ten to fourteen years of age. Children whose presence would be detrimental to the others are not admitted. There are two hundred and forty pupils and nine teachers. They arrive from the city at seven in the morning, and at a quarter after breakfast is served, usually of rice or rye-meal porridge with rolls and butter. At ten o'clock a second breakfast of milk, black bread and butter is given them. At twelve-thirty they have dinner, a substantial meal of meat, potatoes, green vegetables, and on Sundays a pudding.

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After dinner all sleep for two hours, each child being provided with a steamer chair and blanket. In fair weather they sleep under the trees; on rainy days in a shelter inclosed on three sides only. At four o'clock milk, black bread, and jam are served, and at six-thirty the final meal of the day is much like the early breakfast—a steaming bowl of porridge or pudding, black bread and butter. Each child is given all it can eat, some of them returning for a second and even a third helping.

Much of the time between meals is occupied with play; the lesson periods are but twenty-five minutes in length; the weaker children have but four lessons and the others six per day. There were many out-of-door games for them, but their chief delight seemed to be digging in the sand. The boys were constructing forts and ships and railroads, and digging mines and making tunnels. One of the geography classes had made a relief map of Germany, covering the mountains with moss and bits of turf, outlining the rivers with tin foil, putting in evergreen twigs for the forests, and molding bits of clay for the buildings of the cities—in which, by the way, all the cathedrals or buildings of great importance were located. They asked where we had been, and proudly pointed to the places on the map.

The school is open from April first until November first, and even until Christmas for a few of the children. On Sundays they go out as usual, but lessons are omitted and only three teachers are in atttendance. During the long midsummer vacation there are no lessons, but teachers superintend their play.

It costs the city of Charlottenburg 50,000 marks per year (about $12,000) to keep up this school. The parents are expected to contribute what they can, but as a matter of fact only eight pay as much as twelve cents a day, about a hundred pay from two to five cents a day, and the rest nothing at all. The city pays even for half the street car tickets, which are procured by the month by the head master, hung around each child's neck while he is at supper, and taken up for the day while they are at breakfast. We have heard of Germans who object to the venture and call it a foolish extravagance too heavy for the rate-payer to bear. That is a phase of the question every municipality must settle for itself.

To an onlooker it seemed a wise economy, not only saving life but greatly increasing the earning capacity of those lives in later years. There can be no doubt of the success of the venture upon the children themselves. They were a most lively and happy-looking lot, and after several months of outdoor life their appearance fully justified the exclamation of another visitor, "Why, I thought this was a school for sickly children!" For them it is certainly worth while. There is no waste or show about it, but a Christlike humanity. The four years of its existence in Charlottenburg have put the school there quite beyond the experimental stage, and it is now considered a fixed part of the city's educational system. Last year it was copied at Dresden, at Elberfeldt, and at Borstal Wood near London. And a similar school has just been opened for the children of well-to-do parents on the eastern side of Berlin.

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COMMENT ON CURRENT BOOKS

BOOKS ON ART

The season's books on art may not be numerous in quantity, but they are good in quality. A particularly noteworthy contribution to contemporary criticism comes from Dr. Julius Meier-Graefe in his two sumptuous volumes entitled "Modern Art."[1] This German critic writes with almost a Gallic vivacity. Even his individual point of view often seems un-Teutonic, though he does push German art to the fore vigorously, and once in a while, so it seems to us, unnecessarily. His two volumes comprise a series of discursive, thoughtful, suggestive essays, which seem quite as effective in English as in their original German. The volumes are lavishly illustrated as to quantity and poorly as to quality. For the sake of the impecunious student of art, who does not care about such illustration and cannot afford such beautiful print and paper, we hope that a one-volume edition may eventually be issued without illustration. Certainly the text is too interesting not to be widely read. It is not necessary, however, to hail the author as the creator of a new system of æsthetics in modern painting, with Rubens at its head. Dr. Meier-Graefe regards Rubens as the father of modern painting and Van Dyck as his prophet! But it is necessary to pay attention to every critic like this one, who knows the real place of a painter both in contemporary society and in history, and who treats him with whatever dignity is his due. Finally, Dr. Meier-Graefe is an independent thinker. He has the courage of his convictions. We may not agree with all those convictions, certainly not with any excess of emphasis on Hogarth and Constable to the possible detriment of other English painters. But our critic, in truth, seems not so remarkable for his review of English or German or any other painting as in his account of French art. Here, in particular, justice is done to certain painters even if they are at times overpraised, as for instance, "We should learn to pronounce Delacroix and Daumier in one breath," or, concerning Manet, "The greatness that lies in his pictures is fragmentary, but even in fragments it gives perfection." The volumes are valuable to art students, but their author is admirably caustic in his warning to pseudo-students and to snobs. For example:

> The incomprehensibility of painting and sculpture to the general public has been shrouded in a veil of pretentious exposition. The amount of talking and writing about art in our day exceeds that in all other epochs put together. The increase of sociability rising from increase of wealth made it necessary to invent suitable occupations for unproductive energies. Chatter about art became a highly popular form of such amusement; it requires no special preparation, no exertion, is independent of weather and seasons and can be practiced in drawing-rooms. Art has become like caviare—every one wants to have it, whether they like it or not. The immaterial elements of the former give a certain intellectual tone to the sport, which is lacking in a feast of caviare; it is therefore complacently opposed to such material enjoyments. The discussion of art in Germany (the home *par excellence* of such discussion) originated in the dark days of the nation during the first quarter of the nineteenth century, when men were dreaming romantically of the great things they lacked. Nevertheless, it was more fruitful than it is now; it was the sphere of great personalities, and the origin of an idealism which, though impotent, was sincere. Nothing of all this has survived but a subsidiary function. It is the form of entertainment affected by families who do not give expensive dinner parties. It has become the feudal cognizance of the aspiring *bourgeoisie*, as necessary to the well educated as some indispensable garment.

The late Grant Allen was a naturalist, anthropologist, physicist, historian, poet, novelist, essayist, and critic. In his "Evolution in Italian Art"[1] he applied his versatile mind, the mind of an expert in natural science, to kindred problems in artistic method. As Mr. Cruickshank says in his introduction, Grant Allen was not a specialist in the criticism of pictures, yet his trained power of observation and his mind sensitive to life in all its aspects give interest and point to his attitude. "He had the sympathetic imagination of a born teacher; he was also a constant learner, and the fact that he was not professionally a critic of art brought him in some ways nearer to the student, and enabled him to understand the difficulties of the beginner." All that Mr. Cruickshank says is true, and the book has consequent interest and attractiveness even if it leave us unsatisfied. Like many another critic, Grant Allen started out with the idea that Italian art comprised a certain number of subject studies, these naturally largely taken from the life of Christ and from the lives of the saints, and that it was in debt to these rather than to any more natural evolution. That is to say, we should regard any given work not primarily as a Giotto or a Raphael, but as a "Nativity" or a "Crucifixion" or a St. Francis. In other words, each picture is a variant on a central type. There is, of course, much to be said for this opinion, and it is probably said as well in the dozen chapters comprised in this volume as anywhere else. Yet, when all is said and done, the individual genius still forces itself to the

[1] Modern Art. By Julius Meier-Graefe. From the German by Florence Simmonds and George W. Chrystal. In 2 vols. G. P. Putnam's Sons, New York. $10.50, net.

[1] Evolution in Italian Art. By Grant Allen. The A. Wessels Company, New York. $3.50, net.

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fore and demands a hearing. When we recognize that a Michelangelo was a totally different being from a Raphael in the treatment of one and the same subject, the truly historical evolution of Italian art will be evident, quite independent of the mere subject, as, indeed, we have already learned in Dr. Meier-Graefe's impressive pages.

Whether one agree with the Grant Allen idea or not, Mr. Cruickshank's introductory chapter is pertinent reading for any one. He points out the exterior influences affecting Italian art, namely, the Byzantine, the French, and the classical influences We do not always realize that the influence on Italian artists from classical life, with its ideal of freedom and beauty, came last, while the influence from the Byzantine civilization of Constantinople, with its love of symbolism and mysticism, came first. Between the two sprang a noble conception of love from Christian traditions—a conception which crystallized the emotional and heroic life of the Gothic age as reflected in Italian art. After reading the pages of this volume, as, indeed, after reading Dr. Meier-Graefe's pages, we feel more than ever that the vitality of Italian masters of painting and sculpture was due to their wonderful power in synthesizing not only contemporary life but also the spirit of other ages.

Archæology is often accounted a department of art, simply because archæology has made us acquainted with the great history of art in the past. This is pre-eminently true of Pompeii and Herculaneum. Concerning the last-named place Dr. Charles Waldstein and Mr. Leonard Shoobridge have published an interesting volume[1]—specially interesting, indeed, because of the scope indicated in its title, "Herculaneum, Past, Present, *and Future*." (The italics are our own.) A year and a half ago the Italian Government rejected Dr. Waldstein's plan to excavate Herculaneum—a plan set forth in much detail in the present volume—and has now taken up the work on its own initiative rather than to favor any co-operative international endeavor under Italian direction. The art world is thus assured of an important addition to its stock of information—it may be, as important as was made at Pompeii, six miles away. The book comprises a complete history of Herculaneum, a story of the eruption of Vesuvius in A.D 79 which buried the town, a history of whatever attempts have already been made at excavation, and, in great detail, the plan for future work already mentioned. The illustrations are very beautiful, especially those showing the art treasures now in the National Museum at Naples. Particular interest attaches to the author's claim that, unlike Pompeii—a seashore resort of Roman and neo-Greek civilization—Herculaneum was essentially Hellenic in its culture Hence the rewards accruing to excavators must be particularly valuable in all that pertains to refinement in art, not only in marbles, bronzes, paintings, and decoration, but also in manuscripts, no copies of which are elsewhere in existence, but whose creation is a matter of history—the lost plays of Æschylus, Euripides, and Sophocles, the comedies of Aristophanes and Menander, the lost poems of Hesiod, Sappho, Anacreon, and Pindar

In Mr A. M. Hind's "Short History of Engraving and Etching"[1] we have a careful and important history of this branch of art. On opening the book the reader will be disappointed, however, to find that the learned historian treats only of one type of engraving, namely, on metal in intaglio We are promised later a book treating in the same way of woodcuts, lithography, relief cut and prints in general. As might be expected from one in charge of the department of prints and drawings in the British Museum, the work is erudite. Yet the statement seems always terse and clear. The book certainly shows admirable condensation. Over a hundred illustrations double the text's value, and, after the narrative part, the author provides an appendix of no less than a hundred and thirty-three pages, of special value to connoisseurs.

IN A NEW CENTURY

The gifts of a certain grace and wit characteristic of one or two writers of the nineteenth century have certainly descended to the author of these delightful essays,[2] Edward Sandford Martin. Mr. Curtis used to comment in gentle yet pungent phrase upon current opinions or passing fads, and exercised thereby a corrective influence. Mr. Martin, from training and association, is in the rightful line of succession, and he has won a place both honorable and effective among commentators upon the passing pageant of American life. Detached yet vividly interested and with deep earnestness masked often by a whimsical wit, he tells of the consequences of too much success, of some advantages of the common lot, of the remuneration found in reading and writing, of the prospects of "Society" in America, of riches, character, and money, of the profound need in our leaders of what he calls the spiritual quality, of the seashore and the inland coun-

[1] Herculaneum, Past, Present, and Future. By Charles Waldstein, Litt.D., Ph.D., L.H.D., and Leonard Shoobridge, M.A. The Macmillan Company, New York. $5, net.

[1] A Short History of Engraving and Etching. By A. M. Hind. Houghton Mifflin Company, Boston. $5, net.

[2] In a New Century. By Edward Sandford Martin. Charles Scribner's Sons, New York. $1.50, net.

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tryside, of the purpose and use of deafness, and many another subject handled with skill and distinct literary ability. Perhaps the paper on "The Quondam Club" discloses the individual charm of Mr. Martin's thought and expression as clearly as anything in the book. His sturdy, uncompromising stand for truth, and civic and personal righteousness, is clothed in a form of grace, and sparkles with the irony admissible to a thoroughly refined mind. He is known also as the writer of some short poems packed with real thought, strongly set in pure, beautiful English.

ANSWERED QUESTIONS

The volume thus entitled [1] expounds the ideas of the Bahais, or Babis—religious mystics among Mohammedans—as given by their leader, Baha, to an English learner. They are of real interest as representing a spiritual and a morally reforming movement which includes over a million adherents, and as suffering persecution for their teachings. Three thousand of the fellowship are said to reside in this country. Baha, at Acca (Acre), in Palestine, sets forth Babism as a universal religion embracing everything of value in other faiths In this volume he avails himself impartially of the Koran and of the Bible, regarding Moses, Mohammed, and Christ as his forerunners. It is interesting to find him putting a Mohammedan interpretation on certain prophecies of the Old and New Testaments. In its attitude toward Scripture Bahaism reminds one of Swedenborg's spiritualizing of the text. As to ritual it resembles Quakerism. It is strenuously ethical and humanitarian; generally catholic in religious sympathy, and yet prone to internal schism.

THE DISTRIBUTION OF WEALTH

As its title indicates, Mr. Byron C. Mathews's "Our Irrational Distribution of Wealth" [2] is another contribution to the literature of unrest. It is not, though its author seems so to consider it, a sound statement of economic doctrine, and of the operation of economic factors in production and distribution. The entire absence of any recognition of the *entrepreneur* element; the inadequate and incorrect statement of the relation between capital and labor; and the emphasis on the familiar fallacy that "labor is the only factor in the production of wealth, or in the distribution of values, which deserves reward," show clearly that this is not a carefully thought out treatise, but a piece of special pleading. At the same time it is well worth careful consideration. The distribution of wealth to-day *is* irrational; there are contrasts, extremes of poverty and riches, that do make for the wrecking of society; and none can read Mr. Mathews's statistical word pictures—for such they may fittingly be called—without appreciating the need for far-reaching reforms. We cannot agree with him that public ownership is the only way out, or the most desirable way out, but we recognize and commend the lofty motives that animate his vigorous appeal in behalf of this drastic method of social betterment.

THE STORY OF MINNESOTA

In one respect Mr. W. W. Folwell's task in writing the history of Minnesota [1] has been easier than that of most of his fellow-contributors to the excellent "American Commonwealths" series of historical handbooks. Prior to its organization as a Territory of the United States, Minnesota was virtually an unknown land. During the period of French domination its Indian inhabitants had it almost completely to themselves, except for the visits of a few explorers and fur traders; and under English and Spanish rule the situation remained unchanged. In fact, as Mr. Folwell reminds us, even after it became a part of the United States no American settlement was planted within its boundaries until 1839; while as late as 1845 St. Paul was still nothing more than a straggling little village. Thus a brief review is all that is necessary to dispose of the early history of the North Star State. But from 1850 onwards it provides much to fix the historian's attention. The story of its growth in population, the ousting of the Indians from their ancestral lands, the struggle to get railways, the mad "bubbles" of the boom period, Minnesota's share in the Civil War, the murderous uprising of the Sioux—which Mr. Folwell mistakenly describes as "the bloodiest Indian war of the American continent"—and the rapid agricultural and commercial development of Minnesota after the Civil War, provide material for a narrative of really absorbing interest. Mr. Folwell writes with considerable dash and vigor, and with a frankness that will scarcely be relished by the survivors among the land and timber manipulators and other corruptionists who were so much in evidence in Minnesota during its formative period. This frankness, however, and an uncompromising insistence on viewing the facts of history from the standpoint of a sturdy morality, far more than compensate for certain minor defects in treatment and construction.

[1] Some Answered Questions. Collected and Translated from the Persian of 'Abdu'l-Baha by Laura Clifford Barney. The J. B. Lippincott Company, Philadelphia.

[2] Our Irrational Distribution of Wealth. By Byron C. Mathews. G. P. Putnam's Sons, New York. $1.25.

[1] Minnesota, the North Star State. By William Watts Folwell. The Houghton Mifflin Company, Boston, $1.25, net.

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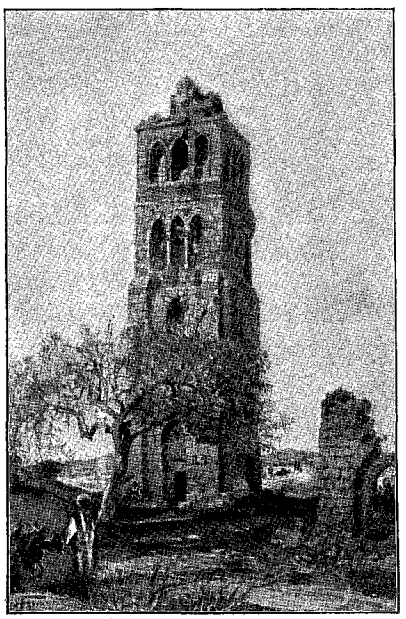

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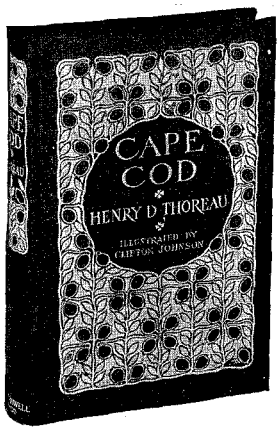

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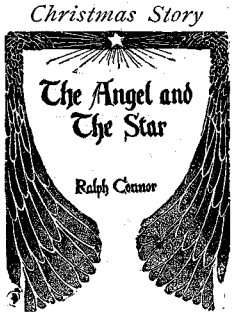

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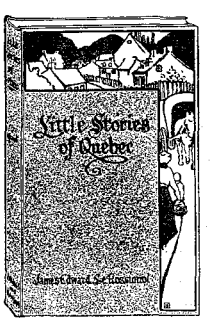

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